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(b) whether it is a fact that the district authorities are neglecting and postponing general repairs to the tank although the Government have from time to time sanctioned some amount towards the expenses for the repair of the said tank;

(c) whether it is a fact that the Collector of Madura is demanding contributions from the ayacutdars towards the repair of the tank; and

(d) whether it is a fact that repairs to the tank is postponed since the ryots are not prepared to contribute?

A.—The Government do not know whether or not the facts are as stated. The Government do not sanction sums for expenditure on individual tanks.

[Note.—An asterisk (\*) at the commencement of a speech indicates revision by the Member.]

## II

### ELECTION TO THE ADVISORY COMMITTEE OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY COMPANY.

\* The hon. the PRESIDENT:—"I have to announce to the House that M.R.Ry. Diwan Bahadur P. C. Ethirajulu Nayudu Garu and Abdul Hamid Khan Sahib Bahadur have been elected as Members of the Advisory Committee of the Madras and Southern Mahratta Railway Company."

## III

### MOTIONS ON THE BUDGET FOR 1928-29.

#### DEMAND IV—FOREST.

\* The hon. the PRESIDENT:—"The debate on this demand closes at 12-15. The House will resume discussion on Mr. Harisarvottama Rao's motion, viz., to reduce the allotment of Rs. 95,900 for General Direction by Rs. 100."

\* Mr. K. V. R. SWAMI:—"As regards the other presidencies where this department is managed, we see from the statistics that they are managing it much better than what it is done here. In Bengal the revenue from the forests is 27 lakhs whereas the expenditure is 17 lakhs; Bombay 73 lakhs revenue and 37 lakhs expenditure; United Provinces 57 lakhs revenue and 34 lakhs expenditure; Central Provinces 56 lakhs against 39 lakhs; Punjab 43 lakhs against 34 lakhs; Burma 190 lakhs against 94 lakhs; Madras 53 lakhs against 46 lakhs expenditure. Then, Sir, in answer to this, it is stated that this is a department where development is required. Unfortunately our valuable forests are in obscure places and in rough places and they say that so much spade work is required and so much capital investment is required and so we have to spend more than what is ordinarily wanted.

"So far as capital expenditure is concerned, my submission to this House is that capital expenditure should not be met from ordinary revenues. This is a commercial business and wherever capital expenditure is required it ought to be met from borrowed money and not from ordinary revenues.

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Under any system of Government ordinary revenues will not be used for capital purposes of the nature. Then the other objection is that there are more officers than are required. This was admitted even by the Member in charge of the department during the last budget discussions. It is stated in reply that it was intended originally to develop the Agency tracts and with that view more officers than are required, for instance, Assistant Conservators, were employed. But afterwards it was found that the development of the Agency would not pay and it was given up, but the officers were retained to be absorbed later on. This is anything but economy. That officers were recruited before a scheme is resolved upon shows the inefficiency of the management. They ought to have waited till the scheme was properly investigated and resolved upon before they recruited any officers. Even if it so happened that they did not want to go on with the scheme that they originally intended to carry out, they ought to have dispensed with the services of such officers whose services they could conveniently employ without waiting to absorb them gradually.

“Now, with regard to the development of the resources, this Government seems to have a special knack of developing the land revenue and excise revenue, but not in commercial departments. Their efficiency seems to be bankrupt when originality is required. If they want money to be squeezed out of the people they are experts in that, for instance land revenue and excise revenue developed by leaps and bounds, whereas in the case of the vast forests which are full of resources we see how miserably the administration failed to make any good at all. For an expenditure of 43 lakhs the return is only six lakhs. Even formerly it was admitted that there was a surplus revenue but gradually it is dwindling away, because after the war they stated that they have had to pay their officers heavily. When working on a commercial basis Government must practise the strictest economy. If we look at the statistics the average income from forests is only two annas per acre, so far as India is concerned. What the Madras Forest department is making is only 6 pies. That shows the incapacity of the department for developing the resources. Now by handing over the minor forests to panchayats some economy could be made, but it has not progressed as expected and that has to be attended to.

“Another objection raised is that this small income of a few lakhs is got by depriving the people of their minor privileges. People living on the borders of these forests have special privileges of getting fuel and wood that would be required for agricultural implements and so on. Now they are denied all these privileges. As a reply to this charge it is stated by the Member in charge during the last budget that only a portion of the population live near the forests, whereas the forests belong to the whole population and so the few people that live on the borders of these forests should not be given special privileges. This is a very curious argument. People living near the forests have got their own troubles: their crops are attacked by wild beasts, and they themselves are attacked by malaria and all such troubles they have to face. But the argument is that people living far away should also claim these privileges and they should not be confined only to the people living near the borders of these forests. The other grievance is with regard to sandalwood. The whole of the sandalwood is now sold to the Americans and the French people. We are not getting the

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best out of this sandalwood. When it is suggested that the Forest department should start a mill for extracting oil from the sandalwood, they say they are afraid of coming into competition with private agencies. It appears there is one mill which is very indifferently worked and which cannot consume even 10 per cent of the sandalwood. Where can be competition when the whole sandalwood cannot be consumed by this private agency. The real thing is that this Government is anxious to help foreigners' profit than trying to acquire all the profit for itself. Whereas, in Mysore, they consume the whole of the sandalwood and they also make more purchases elsewhere for their consumption from this Government also. So even in the management of the forests Indian States are much better than the Government, though Mr. Moir was priding himself on developing the resources of the forests. When so many grievances were enumerated by my hon. Friend Mr. Harisarvottama Rao yesterday, the hon. the Finance Member got into a fury and began to protect the officers of that department. It is no pleasure for any one, even for us, to attack any administration or any officers unless there is sufficient cause, because we see this department as well as other departments are not only manned by Britishers but are manned equally by Indians.

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"Sir, it is not a pleasure for us to go on attacking these people in the several departments. But things which ought to be brought to light should be brought to light so that they may be remedied. The hon. the Finance Member was not right in getting into such a fury and trying to protect them, because it will give a handle to the officers. They think, however badly they may behave in their departments, there would be Members ready in this Council to protect them and their interests and that they are always safe. That ought not to be the attitude. The proper attitude ought to be that whenever some officers are attacked, they must investigate into the matter and see whether the charges brought against them are proper. We have no political principle in charging anybody of corruption or ill-treatment or things of that sort. It is common ground to us that we have to treat our officers, whatever the Government may be that is in power, in the proper way, but it does not mean that we should overlook their faults and try to cover them by our advocacy here.

"It is admitted, Sir, on all hands that there are grievances and that this department is not well managed and that they have got experts from America on high salaries and even then no improvement is shown with regard to this matter. They have got other commercial departments, for instance, the Russellkonda Saw Mill and various other things. The proper thing would, therefore, be to investigate the whole question and see how this department can be improved and the resources of the forests, which are really vast, can be developed. With these words, Sir, I recommend this motion for the acceptance of the House."

\* Sriman BISWANATH DAS Mahasaya:—"Mr. President, Sir, I heartily associate myself with most of all that was said about the general resolution, and in my speech, Sir, I will deal specifically with the saw-mill at Russellkonda in the Ganjam district, for which I have already given notice. My hon. Friend, Mr. Moir, very eloquently pleaded as the guardian of the people in the mufassal. I will just show him how in the working of

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the saw-mill at Russellkonda these self-constituted guardians have not only not tried to manage it efficiently, but also brought in all wasteful expenditure that could be thought of. This saw-mill was opened at Russellkonda in the year 1921. At first, I tabled a motion to delete the grant which was carried but it was afterwards restored by His Excellency the Governor. Thus, in spite of the protests of the Members of this House the saw-mill was installed. The initial expenditure was expected to be about one and a half lakhs but in the actual installing of the mill the expenditure came to more than two and a half lakhs. Then, Sir, it was made a Government concern with Messrs. Parry & Co. as the Managers. Then, we had to bring to bear on the Government the necessity of putting it on the commercial account as a means of controlling waste. It will be my point to bring before this House to-day how it has been a losing concern ever since, and how it has not benefited the Government, or the people of this country or of any other country.

"Well, Sir, from the audit accounts placed on the table of this House, i.e., G.O. No. 119, dated 20th January 1928, I refer the hon. Members of this House to see how lots of logs are brought to this saw-mill and more than 25 per cent of the logs are thrown out as rejected with the result that Government have to put these rejected logs to auction. So, it is clear that about 75 per cent of the logs that are brought to the saw-mill are acceptable to the mill. The result is that Government have to supply the 75 per cent of all the logs, i.e., about two lakhs of cubic feet of logs at a nominal price to the mill. It was not making up even the carting and felling charges at first as they were supplying them at 4 annas a cubic foot. We had to bring the question before the Council and after about two years, I think about 1924 or 1925, an order was passed fixing certain rates to be charged for these logs. At page 2 of the Audit Report, it is said, that for logs of 18 feet, 8 annas should be charged per cubic foot, for nine feet, 5 annas 6 pies per cubic foot and for others suitable for sleepers, 4 annas per cubic foot. This, I declare, Sir, will be about half of the actual price for which people would be willing to purchase these unfinished logs at the spot. Then the charges of felling and carting are much more than the price fixed for these logs, as can be seen from page 3 of the Audit Report, wherein the Auditor says that the District Forest Officer, Ganjam, told him that during 1927-28 his estimate of the average cost of carting and felling the timber delivered at the saw-mill would amount to 6 annas per cubic foot. This alone will create a demand by the Forest department for higher prices for this timber.

"Then, Sir, having stated how the Forest department is giving all the logs felled and carted at their own expense and brought to the saw-mill and are handed to the mills at a nominal price, I will now state how the management, i.e., Messrs. Parry & Co., are not going to pay a pie more than what they are paying at present, i.e., they are not going to accept the Government price fixed in the Government Order referred to. They say:

'The mill contention is, however, that with selling price of Rs. 2-9-11 and other charges as indicated above and with a high percentage of waste, it is not possible for them to pay very much more for the timber they take over, and in case of a private concern they would have to close down the mill if the price of the timber in the log, rose to a figure that would make it impossible for them to work the timber for sale at the prevailing market rates.

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"The auditors themselves record in page 2 of their report that the prices fixed by Government in their order referred to above apparently are based for items 2 and 3 on the average cost of felling and carting charges, and does not include any charge for overhead or value of timber.

"The forest officers of the district, in their anxiety to carry logs to the mill, are forcing the people of the neighbouring villages to get the logs, carry them at fixed rates and also forcing and dragging unfortunate cartmen who accidentally are there at the time to carry these logs to their saw-mills, against their will, and they have not been able with all these enforced miseries on the people to supply the necessary quality and quantity of logs even to the saw-mill. The mill has been complaining that the Government has not been able to supply the necessary quality and the Chief Conservator of Forests in his report for 1923-24 at page 14 says :

'As regards the size of the logs, it is impossible to obtain large logs in any quantity. And, there is no getting away from the fact that the Ghumsur forests contain very little timber of the size for which the machinery was designed, while much of it is unsound.'

"So, Sir, this cuts at the very root of the installation of a saw-mill to produce finished wood of any appreciable quality or quantity, so that the Government or the private company might have a profit at any future date. I am referring to the administration reports of the Forest department for 1923-24 at page 14. This observation of the Chief Forest Conservator has not yet been contradicted by the subsequent reports but on the contrary has been confirmed in the audit reports and also by the saw-mill and the administration report for 1927 at page 6.

"Then, Sir, I wish to refer to the audit accounts of the Madras Presidency for 1924-25, published by the Accountant-General. At page 47 of the same report, in paragraph 72, mention has been made of this :

'Government saw-mill under company management sustained in 1922-23 a loss of Rs. 30,424 and according to the subsequent revised report of the auditors, it was Rs. 31,778. This includes interest on capital. It has since been decided by the Government to exlude interest and the loss for 1922-23 is reduced to Rs. 8,311.

'In 1923-24, the accounts showed a further loss of Rs. 6,059 while in 1924-25 they exhibited a small profit of Rs. 1,895.'

"Well, Sir, this profit is merely one for account adjustment and, is therefore a paper profit. Government have been, as I have already indicated, supplying the saw-mill at the rate of 4 annas per cubic foot at this period i.e., 1924-25. And, even at the present rate, as has been adverted to in the audit report, they say it will not make up the carting and the felling charges and other expenses which the Government incur under G.O. No. 303 of the Development Department, dated 3rd March 1927. So, even the profit of Rs. 1,895 shown in 1924-25 is a paper profit, i.e., profit shown only in the accounts.

"Then, Sir, I come to the profit and loss accounts of the year 1926-27.

11-30 a.m. "In the audit report, a book profit of Rs. 8,000 has been shown to have accrued for the year 1926-27. I now request hon. Members of this House to look at page 10 of the audit report wherein it is stated: 'As I have shown in the enclosure to this office letter, dated 26th November 1926, not less than As. 3 per cubic foot should be added on account of overheads'. If this is taken into account, the profit for 1926-27 would be converted into a

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considerable loss. So, Sir, the profit of Rs. 8,000 that has been shown in the audit report is only a paper profit, and is a whitewash for the public and the members of this House. I have thus shown that ever since the saw-mill began to work, from the year 1921 to the year 1926 the Government have year after year been sustaining serious losses amounting to thousands of rupees; and in no year could they show any profit if the accounts are properly put up. This shows that the commercial undertaking, as it is worked by Messrs. Parry & Co. at Russellkonda, has not at all been a success. When the saw-mill was started, they expected to find markets in Calcutta and London. Afterwards they opened a branch in London, and we were glad to see that they are now closing up the branch at London. Even the branch at Calcutta has not been a success, and I learn that they are going to wind up the same there. Nemesis is following them wherever they go. At page 3, mention is made of the fact that they are going to write off the capital value of the machinery installed, and thus they hope to show some profit. These things will not convince the House, much less any businessman, that the concern has been a success. The people of the district on the other hand have been agitating all along for the closing of the concern. This Council has never been a party to such a wasteful experiment and has given its declared opinion just before the concern was started. My resolution in 1925 August was also withdrawn at the instance of the hon. the Home Member then in charge of the Forest portfolio on promise of personal enquiry. This being the case, I request the House to give again its verdict so that Government will be forced to close the concern and thus avoid this wasteful expenditure."

\* Mr. C. GOPALA MENON :—" Sir, I wish to support this motion. The budget figures for the last three years in the Forest administration show decrease in revenue and increase in expenditure. In 1926 the net income from forests was 11.35 lakhs while in 1928-29, the income is estimated to be 6.31 lakhs. The hon. Member must be aware."

The hon. Mr. A. Y. G. CAMPBELL :—" May I know wherefrom he got these figures, Sir?"

\* Mr. C. GOPALA MENON :—" I shall inform him, Sir, later. The hon. Member must be aware that this department is topheavy and overmanned. Figures have been quoted in this House year after year during the period of budget discussion that the income and the expenditure of the Forest department in this Presidency as compared with those of other Presidencies were proportionately lower. We have to look at this department from two stand-points, whether it is beneficial to the people of the country and whether the exploitation that is being carried on is of a revenue-yielding character. There is a good deal of exploitation carried on from year's end to year's end, and a good deal of capital is invested in this department which is not easily realizable. My hon. Friend is also aware that the railway companies in this country are importing a good deal of wooden sleepers and steel sleepers, and I would like to know whether the department has taken any steps to supply the railway companies with sleepers from our forests. Another point that I wish to bring to the notice of the hon. Member is that a large number of factories has grown up in this Presidency and there is a new source of demand which the Forest department can cater for. These factories feel the necessity of getting wood in the shape of splinters and veneers.

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Has the department taken any steps to find out whether there is any possibility of meeting this new source of demand from these factories? The Government are aware that the Tariff Board is now sitting and taking evidence on the question whether any protection should be given to this industry, and if Government could only come forward and meet this new source of demand, I think it will be of great assistance to these match factories. With regard to the commercial undertakings of Government, such as the Mount Stuart forests, the Russellkonda Mill and the Chenat Nair forests, some of these were started as early as 1919, and they are also not of a profitable character. Of course this has been brought to the notice of the Government so often and the reply has been that they cannot be made profitable in the early years of their existence. I would like to bring to the notice of the hon. Member that some of these concerns which were started eight years ago are not even now made profit-yielding and some steps should be taken to make them self-supporting. With these remarks, Sir, I support the motion."

\* Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I just want to say a few words. As has been stated yesterday, there is something unreal in this demand also inasmuch as the hon. Member who was in charge of the Forest department, who studied the question for several long years, has been deprived of the portfolio, and the hon. Mr. Campbell is now in charge of it. We all know that the new Member is very sympathetic, but we cannot forget that he is to be there, if at all, for only one or two months or perhaps a few more weeks. If, therefore, we say anything about this department to-day, it is addressed more to the Secretary in charge of this department and to the Chief Conservator of Forests, who, I understand, is also sympathetic. I am one of those who consider—although I may on that point differ from some of my friends on this side—that if properly worked out, the Forest department is a department which can yield a large sum of money without in any way resorting to additional taxation. Something has been said about the sleepers. If the department works up these things satisfactorily, it will be able not only to compete with the foreign imports, but will be able to supply them more cheaply to our people. As has been well said by my hon. Friend Mr. Gopala Menon, there has been a large import of wooden sleepers from outside and the iron sleepers also are now competing with wooden sleepers, because iron has become much cheaper than before. As a matter of fact, I have been myself interested in the tea and coffee industry for some time, and I know that the Forest department has been able to compete to some extent with the foreign imports; but my complaint has been all along that this department, especially the sub-departments, are worked at a very great cost. My complaint all these seven years has been that there has been unnecessarily heavy cost at the top of this department, firstly because the number of officers at the top is unnecessarily very large and secondly because their salaries are very high. So far as the number is concerned, I have been representing year after year that the number of covenanted officers alone is unnecessarily and unduly large. I have shown from their own books that they have found it unnecessary to fill up a large number of vacancies every year. When it is not necessary to fill up a large number of vacancies, it is quite unnecessary to keep those posts vacant, and the best thing would be to remove the posts completely from the cadre, so that there may be no temptation at any time to distribute patronage by

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filling up the vacancies. The report for the last year available says that a large area has been transferred to the ryots under the heading 'Forest panchayats,' and yet there has been no corresponding reduction in the number of officers in this department. The number of Conservators of Forests was only four some years ago, but it was increased to six in spite of the protest of this Council. How do they say that they have been able to reduce that number by one? If the total area is taken into account, the number of officers can be much more considerably reduced. I may say this thing, Sir—and I have been repeating it more than once—that the one great danger and risk due to the appointment of foreigners in this department is that they naturally have inclinations in favour of their own men and the manufactures of their own country. Without attributing anything wrong to them, I may say that an Englishman naturally thinks that his own kith and kin are the best, and what is more he considers that only European and English machinery is the best. Similarly, the American. That is the reason why both on the Mettur works and on the forest improvement works we find a good number of costly machinery being imported from England and America. In the case of the Forest department, I have no complaint to make against Mr. Martin personally; he is a very good gentleman and an able gentleman. But when he was first appointed we were given the hope that he would be there for only a short time, temporarily. That period expired and he was given long leave, with pay, I suppose, probably if necessary to go and purchase machinery and to engage men from America. I do not know if he has done that to his satisfaction. But, Sir, so long as Europeans and Americans are at the head of the department, much more than is necessary, there is this danger always of their being inclined to get more men from foreign countries. When the cadre of the Chief Conservator was transferred from the India Civil Service to the Forest department, this Government went out to congratulate the forest officers as well as the people on the fact that one of the officers of the Forest department itself got the highest office in it. But our fear was, and it has been realized, that the Chief Conservator, however sympathetically he may be disposed towards Indians, he is naturally inclined to favour more his own countrymen whom he very often meets at tea parties, clubs and recreation grounds. Sir, I am not speaking without facts. I will give you one instance. I have been urging almost from 1920 that at least one of the appointments of the Conservators should be reserved for an officer promoted from the Provincial Service. It was once said that he would not be able to discharge his duties as ably as an European officer would. But now what has happened. The very officer against whom this remark was passed is now appointed as Conservator and I am glad to tell you that he is discharging his duties very satisfactorily, both in his special work and other works.

"I have been visiting these forests where a good deal of work is being done, such as the Chenat Nair forest. As I have said several times before, I say to-day also that they are merely creating figures. This year they show they have a large quantity of wood and they prophesy huge profits. But the logs of timber are eaten by the white-ants and their price dwindles away very soon. I have seen timber depots at Olavakkote where such things have occurred. The last report says that the timber there has for several reasons considerably lost its value. The same thing has happened in the saw depot

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in the north. All I wish to say is, by all means develop the forests but by any means reduce the cost of working them.

“By way of supplementary question I showed how in the Chenat Nair forest there is a large number of unnecessary hands; such things are explained away by saying that the Government have to provide work for the existing hands. I said if they stopped recruitment both in England and in India for some time the present hands could be utilised and there will be no supernumerary hands. I believe Mr. Cox, I speak subject to correction as I am now speaking from memory, prepared a memorandum in which he said that hereafter recruitment in England for this department will be quite unnecessary, for permanent appointment. If this had been acted upon the case would have been very different. Yet the Government say they require European officers at the top. I am only saying all this to show that hereafter at least the number of officers may be reduced considerably, especially in view of the handing over of the lands to the panchayats and that most of the hands be Indians so that they may bring to bear their knowledge of forestry very usefully to the advantage of the country after their retirement. As I said, the new Law Member is taking a great deal of interest in the Forest department and appears to be very sympathetic. There are a number of grievances yet unredressed though we have been complaining of them for the last twenty years. In the beginning of this Council a number of resolutions were passed embodying our grievances and nothing has been done to redress them. I may, however, say that, so far as the Coimbatore district is concerned, a committee was appointed with Mr. Cox as the President to inquire into the grievances and as a result of it it framed a number of rules and effect was given to some of them and those rules were extended to some other districts with profit. If the hon. the Law Member looks into that report, he will find that only certain grievances were redressed and the question of other grievances was left over to be taken up later on. I think it is high time those matters be looked into.

“Reference was made by my hon. Friend to the difficulty of grazing. One of the difficulties is as follows. On payment of a fixed sum a licence to graze on a single block was granted. Now it is given for a range. If any animal steps into the next range, the owner or the possessor of it is charged heavily. Very often there are no definite boundaries; further how can we expect the dumb animals to know the rigidity of the law? The difficulty is greater where there are more ranges and no natural divisions between the ranges. I have been representing to the Government that the payment be extended to all ranges in the same forest district; and I am certain this will be no loss to the Government. I will therefore appeal to the Government (I do not know whether it is under consideration) to extend the system of a permit being made available to other ranges where it is at present confined to a single range, and to make it available to the whole forest district where it is at present available to all the ranges.

“The other question which I bring to the notice of the Government is of the unlimited nature of the compounding fees that are fixed by the District Forest Officers. I myself came into contact with a batch of pariah people, now called Adi-Dravidas or rather Adi-Karnatakas. Some of these hearing of my arrival there came even from a distance of about twenty miles to ventilate their grievance, namely, that they had been asked to pay a sum of

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Rs. 15 or 20 for having removed fuel sticks worth at the most about 2 or 3 annas. I at once sent the papers to the District Officer who, I am glad to say, cancelled the whole compounding fee. Sir, I have had the fortune of getting a large number of papers on this subject and of sending them to the Government, which I am sure the hon. the Law Member will find in his shelves if he only took some pains to search for them. We have bullocks, buffaloes and sheep and if they merely trespass into the next range the compounding fee is fixed sometimes at about Rs. 15. I have requested the hon. Member in charge of the department to fix a maximum for the compounding fee; and I am glad to say that the Forest Advisory Committee has made certain recommendations which, I think, would be acceptable to the Government. I don't remember whether any official orders have been passed."

Mr. G. HARISARVOTTAMA RAO :—"Not yet."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I believe the Government will fix the compounding fee at three times the price of the article removed and in the case of animals at twice the licence fee for a year. As things stand at present there is no limit for the fee. Any number of vakils and barristers may be engaged; and the only reply is that the man is punished! and the fine is generally heavier than the compounding fee! For a thing worth 8 annas the fine is Rs. 20 and at times even Rs. 50. Sir, these things are not drawn from my imagination. I have, as a matter of fact, sent a large number of papers on the subject to the Government and I am sure the hon. the Law Member will find them in his shelves. The hon. the Finance Member in his usual anger—we have been accustomed to his angry temper even from the time he was Financial Secretary and in spite of it he plays his part very well and speaks always with vigour and assumed conviction (laughter)—he said: 'How are the forests to exist if we allowed a little concession here and there?' I made an invitation to the late Member in charge of the department to pay a visit to Kollegal that he might see side by side with the British reserved forests with their stringent rules the Mysore forests where the rules are not so severe. No doubt the Mysore Government are following the rules which were obtaining here some decades ago but the rules of civilization have not penetrated that province yet. Even if the late Member is not in office he can visit that place on a hunting expedition and even now the wild animals are awaiting his visit. (Laughter.) There is another grievance also. There is no limit, generally speaking, to the fees that the contractor extorts from the people to remove minor forest products. If the people pay half an anna for something under Government management, they will have to pay 2 to 4 annas to the contractor where leases are given to him. I believe that the Government have passed some sympathetic orders in this matter. I appeal both to the Secretary and to the hon. the Law Member to look into the matter carefully.

"The hon. the Finance Member with his usual wrath said: 'Where are we to get water from if the forests are denuded?' Coimbatore is one of the biggest forest districts containing 2,500 miles of reserved forests. There are four District Forest Officers having jurisdiction over the various parts of the district. But it comes next only to Bellary or Anantapur in the matter of scarcity of rainfall and is the second worst district from that point of view. Is it the result of denuding the forests or is it due to the reservation of forests?"

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“The hon. Member probably thinks that we want to convert all forests into cultivable lands. If so, may I ask him why in Kollegal taluk they include lands in the reserve forests first and later on grant them to Europeans for tea and coffee cultivation? There is a river close to the Kollegal town called the Gundal river which brings some water to irrigate thousands of acres and the quantity of water that is flowing down the river is being reduced year after year. Why? because there is the estate of Mr. Morris above. He has got a number of wild elephants visiting his estate; but every European friend who visits him never returns after shooting any elephant, as the elephant always escapes. These people go there on receiving a telegram ‘Elephant in sight, make ready.’ But by the time these people go to the scene the elephant escapes; it is only available in the telegram. (Laughter.) Mr. Morris has been given lands at the source of this river for tea and coffee cultivation and naturally there has been a complaint from the people against this. But European intelligence is not to be easily baffled. If Mr. Morris is refused the grant of some land to-day, Mrs. Morris puts in her application to-morrow. If one conservator or collector refuses to grant the land to-day, another conservator or collector recommends the grant to-morrow. I do not know what has become of the application of this lady. I have been asking questions on this matter. I think probably that, besides Mr. Morris and Mrs. Morris, a number of his relations and servants, including his chauffeur and his chokra, have applied for lands. The hon. Member in one of his answers promised not to do anything in the matter until he had paid a visit to the place. The visit has not been paid, but I do not know if further lands have been granted. I ask the hon. Member and the Chief Conservator to say whether final orders have been passed in the matter. Of course, orders refusing the grant are not final orders. They will be revised. I want to know whether revised orders have been passed. There is no use of the hon. the Finance Member getting angry with us poor people even if we want to take some lands for cultivation. I appeal to the Government to look into some of the suggestions that I have made and I hope that they will be able to submit better reports next year with lesser expenditure and greater outturn.”

\* The hon. Mr. A. Y. G. CAMPBELL:—“Mr. President, Sir, I feel some difficulty in making a reply to the debate, because it seems to me that the criticisms levelled against the department urge the Government to adopt contradictory policies. The forests of this province are classified into two classes—the provincial forests and the ryots’ forests. The provincial forests include those which it is desirable to work commercially and for which as much revenue as possible should be obtained. They also include some forests which have to be maintained to protect water-supplies and to prevent landslips and erosion. The ryots’ forests, on the other hand, are those which are near villages and are not so important commercially but are important to the local people. The policy of the Government in recent years has been to transfer the management of the ryots’ forests to panchayats of the local inhabitants. In pursuance of that policy they have classified 3,300 square miles of forests as ryots’ forests and handed over to the panchayats 2,800 square miles and the rest is likely to be handed over very soon.

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[Mr. A. Y. G. Campbell]

"My hon. Friend from Kurnool made a long speech criticising the administration of the Forest department in his district and drawing attention to the various difficulties to which the people of that district are put. The hon. the Finance Member has answered a considerable portion of his criticisms; but there are perhaps one or two points which I may add to the remarks of the hon. Mr. Moir. I have also been employed in that district, as I was Divisional Officer in Nandyal for over two years; I have also walked over the Yeramalais. I was transferred from Nandyal to Penukonda in Anantapur district. I was very much struck with the condition of a forest of hardwickia which has been carefully preserved there.

"If the Yeramalais are also protected in this manner, in course of time it should also become a good forest. The hon. Member referred to the difficulty which he had in obtaining fuel. I have ascertained that during 1926-27 some 18,000 tons of fuel were produced in the reserved forests of Kurnool district. The contractors are under bond to allow people to collect head-loads in coupes on payment of 3 to 6 pies per head-load. In 1926-27 254,000 cubic feet of timber were removed from the Kurnool reserves. The hon. Member complained that a penning fee of 8 annas was levied per head in addition to the grazing fee for cattle coming from other ranges. The grazing in these forests is good and cattle from the neighbouring districts also are grazed in them. I think, however, that the hon. Member must be under a misapprehension as to the rate of penning fee. I think it must be 8 annas per hundred cattle. (Mr. G. Harisavottama Rao: 'It is 8 annas per head only.') Then I shall inquire into the matter. The hon. Members from South Kanara invited me to visit their district and see for myself the disabilities from which the people are suffering. It is not possible for me to do so during the short time I expect to be in charge of this portfolio. I may, however, assure the hon. Members that their case will receive the sympathetic consideration of the Government. Orders have already been issued allowing the people to go into the forest and shoot pig without getting any special permit from the Forest officers. They have only to obtain licences for possession of arms. I hardly think that it is fair to blame the forests for the prevalence of malaria. Madras itself had a severe attack of malaria some years ago though there are no forests here. So malaria cannot be attributed to the existence of forests in the immediate neighbourhood. Some hon. Members referred to the tyranny of the forest guards and the excessive rates of compounding fees and suggested that the compounding fees should be limited in some way. I find that the number of offences which were reported in 1925-26 was 30,000, while it fell in the following year to 25,000. The number of cattle impounded fell from 145,000 to 84,000—a very considerable drop. The compounding fees realized fell from Rs. 2,68,000 to Rs. 2,04,000. I shall be prepared to consider the question of fixing a maximum for the compounding fee to be realized in individual cases. My hon. Friend from Kurnool suggested the standardizing of the compounding fees; but I think it better to fix a maximum since it would be difficult to standardize it, as circumstances necessarily vary in different cases. Of course, if the Forest officer finds the maximum compounding fee is insufficient he may prosecute the offenders and that will be only in serious cases or in cases of repeated offences.

"Coming now to provincial forests we have been urged to make greater surpluses from our forests than in the past and to develop our forests. On

[Mr. A. Y. G. Campbell]

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the other hand, we have been urged to stop our present undertakings. The Russellkonda Saw Mill and the Chenat Nair scheme are perhaps the first of their kind in this province, perhaps in the whole of India, and they were necessarily to a very large measure in the nature of an experiment. And we have gained from them very valuable experience. It is true that they have not been perhaps in some respects as successful as we hoped they would be. It was very difficult to foresee exactly how much timber would be forthcoming from a particular area, and of course as the lead becomes greater the expenses become greater and the enterprise becomes less and less profitable. The Government have decided that the mill should be closed at the end of June 1928."

Rao Bahadur B. MUNISWAMI NAYUDU (from the Chair):—"The time allotted for the demand is over. I now put the motion 'to reduce the allotment of Rs. 95,900 for general direction by Rs. 100' to the House."

The motion was put to the House and declared lost.

A poll was demanded and the House divided as follows:—

*Ayes.*

1. Diwan Bahadur P. Kesava Pillai.
2. Mr. C. V. Venkataramana Ayyangar.
3. " T. Adinarayana Chettiyar.
4. " P. Anjaneyulu.
5. " J. A. Saldanha.
6. " C. S. Govindaraja Mudaliyar.
7. " C. D. Appavu Chettiyar.
8. " A. Balakrishna Chetti.
9. " T. M. Narayanaswami Pillai.
10. " W. P. A. Soundarapandia Nadar.
11. " Chavadi K. Subramania Pillai.
12. " S. V. Vanavudaiya Goundar.
13. " K. Ramachandra Padayachi.
14. " G. Harisarvottama Rao.
15. " C. N. Muthuranga Mudaliyar.
16. " Abdul Hamid Khan.
17. " K. V. R. Swami.

18. Mr. D. Narayana Raju.
19. Dr. B. S. Maillayya.
20. Mr. C. Marudhavanam Pillai.
21. " Motbay Narayana Rao.
22. " A. Parasurama Rao.
23. " C. Ramasomayajulu.
24. " Basheer Ahmed Sayeed.
25. " P. Bhaktavatsulu Nayudu.
26. Sriman Biswanath Das Mahasayo.
27. Mr. A. Kaleswara Rao.
28. " K. Srinivasa Ayyangar.
29. " K. Koti Reddi.
30. " L. K. Tulasiram.
31. " K. R. Karant.
32. " C. Madhavan Nayar.
33. " C. Gopala Menon.
34. " S. Satyamurti.

*Noes:*

1. The hon. Sir Norman Marjoribanks.
2. " Khan Bahadur Muhammad Usman Sahib Bahadur.
3. " Mr. T. E. Moir.
4. " Mr. A. Y. G. Campbell.
5. " Dr. P. Subbarayan.
6. Mr. F. B. Evans.
7. " H. A. Watson.
8. " G. T. Boag.
9. " A. McG. C. Tampoe.
10. " S. H. Slater.
11. " C. B. Cotterell.
12. " P. J. Gnanavaram Pillai.
13. " R. Foulkes.
14. " J. Bheemayya.
15. " V. Ch. John.
16. Subadar-Major S. Nanjappa Bahadur.
17. Rao Bahadur O. M. Narayanan Nambudripad.

18. Mr. N. Siva Raju.
19. " M. V. Gangadhara Siva.
20. " V. L. Muniswami Pillai.
21. " S. Venkayya.
22. " K. Krishnan.
23. " C. K. T. Congreve.
24. " A. T. Luker.
25. Rajkumar S. N. Dorai Raja.
26. Mr. Tajudin.
27. The Raja of Panagal.
28. Rao Bahadur Sir A. P. Patro.
29. Diwan Bahadur M. Krishnan Nayar.
30. " P. C. Ethirajulu Nayudu.
31. Mr. T. K. Chidambaranatha Mudaliyar.
32. Rao Bahadur S. Ellappa Chettiyar.
33. Khan Bahadur S. K. Abdul Razaak Sahib.
34. Mhuhammad Khadir Mohidin Sahib.
35. Diwan Bahadur S. Kumaraswami Reddiyar.

*Ayes* 34. *Noes* 35.

The motion was lost.

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Rao Bahadur B. MUNISWAMI NAYUDU (from the Chair):—"I now put the demand to the House. The question is that 'the Government be granted a sum not exceeding Rs. 42·17 lakhs under Demand IV—Forest'."

The demand was put to the House and carried.

#### DEMAND V—REGISTRATION.

\* The hon. Dr. P. SUBBARAYAN :—"Sir, on the recommendation of His Excellency the Governor I move

*'that the Government be granted a sum not exceeding Rs. 26·89 lakhs under Demand V—Registration'."*

\* Mr. V. I. MUNISWAMI PILLAI :—"Mr. President, Sir, I move

*'to reduce the allotment of Rs. 29,800 for pay of officers by Rs. 100'.*

"I have given notice of this motion to discuss the necessity for the representation of depressed classes in the Government service. As the Government are aware only very few members of the depressed classes are employed in Government service. Speaking of this department, I am of opinion that a great amount of intelligence is not required and as such I think the time is come when the Government should see its way to encourage members of these communities by appointing them in this department.

"Another factor which prompted me to give notice of this motion is that the various communities which form the depressed classes have to resort to the registration offices for registering documents. If there are some members of these communities in this department they will safeguard the interests of these classes. As I have already pointed out on the floor of this House on several occasions it is very difficult for the members of these communities to pass the Secondary School-Leaving Certificate Examination and even after passing this examination they are unable to find employment in Government service. I think therefore that the time is come when the Government should see its way to give adequate representation to the members of the depressed classes in this particular department."

Mr. M. V. GANGADHARA SIVA :—"I second the motion."

\* The hon. Dr. P. SUBBARAYAN :—"Sir, out of the officers who held permanent posts on 1st April 1927 in the Registration department the following number of posts were held by the members of the depressed classes :—

Posts carrying a pay of Rs. 100 and over—One.

Posts carrying pay above Rs. 85 and below Rs. 100—Six permanent men and five temporary appointments; altogether eleven.

Posts carrying salary below Rs. 35—Six. Including another three temporary appointments the number is nine.

"Whenever any qualified candidates belonging to the depressed classes come forward with applications to the Inspector-General of Registration he has always been considering them in a favourable manner by appointing fit and proper persons as sub-registrars who would in course of time rise to be district registrars. The Government will see that this principle is adhered to and that a larger number of people belonging to the communities which my hon. Friend so well represents in this Council is given representation in the Registration department."

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\* Mr. K. V. R. SWAMI :—" Sir, the numbers quoted by the hon. Minister will show that very little representation is given to these communities. So far as the Registration department is concerned, I think some concession may be shown as regards depressed classes, because very little knowledge is required in the Registration department. It has to follow certain rules just as in the Railway department. That is not a department where legal or high literary qualifications are required. Formerly even matriculates were taken in and depressed classes members who have passed Secondary School-Leaving Certificate Examination may be shown some concessions and appointed as sub-registrars. The minimum qualification is that one should be a graduate because there are very many graduates and there is keen competition. If the members of the depressed classes have the minimum qualifications they must be given preference. There is no meaning in saying that, if they satisfy all the rules and if they stand in competition with others, the Government will appoint them. That is showing no concession at all to the community. In that case they will have to wait for years and years. If the Government really mean to do something for the depressed classes there is no use showing lip sympathy alone. The figures are there; there is only one gentleman belonging to the depressed classes who is getting more than Rs. 100; there are only eleven gentlemen who are getting above Rs. 35 and below Rs. 100; nine are getting below Rs. 35. The figures are very small compared with the fact that their number is one-fifth of the total population.

(At this stage the hon. the President took the Chair.)

" This Government should show some kind of patronage for them since the Government have to protect the special interests of those communities. The Government should extend their patronage practically. There is no use of showing it in speeches only and in replies to addresses. When men who could do the work are available, they must be shown some concession. It is not only doing some good to the individuals but it also gives encouragement to the boys of those classes to take to education and raise the status of those classes. I wish that the Government should do all they can to suspend some of the rules if men having minimum qualifications are available. As I said, for this department very little knowledge is required and the work can be done by any young man who has got the Secondary School-Leaving Certificate qualification."

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\* Mr. V. I. MUNISWAMI PILLAI :—" Sir, the hon. the Chief Minister just told us there are members of the depressed classes in the Registration department. I do not know whether it is really the members of the depressed classes, the untouchables, or members of the backward communities. However, Sir, on the assurance given by the hon. the Chief Minister I beg leave to withdraw the motion."

The motion was by leave withdrawn.

Mr. J. A. SALDANHA :—" Sir, I move

*'to reduce the allotment of Rs. 29,500 for pay of establishments by Rs. 100'*

for discussing the question of the pay of sub-registrars and also the low salary paid to clerks in the Registration department. Sir, it has so often been urged in this Council that Government should take into consideration the importance of the Registration department. It is a department

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[Mr. J. A. Saldanha]

with which so many people have to come into contact constantly. Among the various officers of the Registration department, the sub-registrars are the backbone of the department. The post of the sub-registrar corresponds more or less to the post of a tahsildar in the Revenue department. The respect with which the sub-registrar is treated on account of his position and status is one which is practically the same as that which is paid to the tahsildar and to the holders of the other corresponding appointments. Yet the pay of the sub-registrar is graded from Rs. 65 to Rs. 150 and then from Rs. 160 to Rs. 200 whereas the pay of the tahsildar is Rs. 200 to Rs. 300. The pay of the deputy and assistant tahsildars is Rs. 150 to Rs. 200. The inspectors of police are paid much higher. I consider, and I think that the opinion of several members of this Council in the past has been, that the pay of sub-registrars is rather too low and certainly lower than that which they ought to get for their status and the importance of the services they render. The sub-registrars have already submitted a memorial to Government and a number of them waited upon the Minister for Development when he was in charge of the department. I will not dwell upon this further. I hope the Government will pay due consideration to the representations already made."

\* The hon. Dr. P. SUBBARAYAN :—"Mr. President, Sir, prior to the year 1921, the sub-registrars were classed under eight grades, the pay of those in the first grade being fixed at Rs. 150 and the last grade at Rs. 50 a month. Since 1921, on the recommendation of the Knapp Committee, the scale of the sub-registrar's pay was raised to the extent in which we find it to-day. Since then, representations have been made as pointed out by my Friend Mr. Saldanha to my Colleague the late Minister and we have decided to have a selection grade of 5 per cent for sub-registrars on Rs. 200—10—250. Additional provision will be made in the budget for that purpose. Regarding the cost, it will be Rs. 5,218 for this year and Rs. 10,200 in a full year. Compared to the starting pay in other branches of the Government, the initial pay of sub-registrars is not as low as my friend would try to make out. Coming now to the clerks whose cause my friend pleaded with so much eloquence, they are the same as in other departments. If the pay of the clerk in the Registration department is raised in any manner, it will lead to a demand for more pay in all the other departments, and then the cost will be immense. It will not also be possible to raise revenues for any such expenditure. I would therefore request the hon. Member to drop the motion."

\* Mr. J. A. SALDANHA :—"On the assurance given by the hon. the Minister, I drop the motion."

The motion was by leave withdrawn.

\* Diwan Bahadur M. KRISHNAN NAYAR :—"I move

*'to reduce the allotment of Rs. 26,20,900 for district charges by Rs. 100.'*

"Sir, the registration fee for the attendance of sub-registrars in private houses, formerly was Rs. 10. It was subsequently raised to Rs. 20. Since then, last year it was reduced to Rs. 15. I urge by a token cut of Rs. 100 for the reduction of this fee for private attendance to its original level. Financially, the Government will not be a material loser by granting

[Mr. M. Krishnan Nayar] [16th March 1928]

this request. On the other hand, it will be a great boon to the people concerned. The people that generally want the private attendance of sub-registrars for registering documents are poor *gosha* women and also sick persons. In the case of persons who are rich, their cases are exceptional, they will not consider it a hardship. But to persons who are destitute and who are either *gosha* or sick persons, the demand of Rs. 15 is a very great hardship. I do not know what the total financial outcome of the grant of this request would be, but I believe it cannot be very great. On the other hand, it will be a great boon if this request is granted and the fee for private attendance reduced to the original level."

\* Mr. L. K. TULASIRAM :—"Mr. President, Sir, this question was also discussed during the budget cuts of last year and I understood that the hon. Mr. Ranganatha Mudaliyar then in a way promised to consider the question favourably. The fee has since been reduced, but the reduction has been very poor. The original rate for private attendance as was pointed out by Mr. Krishnan Nayar was only Rs. 10. The question is, Sir, that this privilege of private attendance is availed of mostly by ladies who happen to be new widows who are not accustomed to appear in public within the year in which they have lost their husbands. When they have got to execute documents and carry on such other transactions it is really very hard if these fees have to be paid by these ladies who are in such unhappy circumstances. Sir, it seems to be the policy of the Government to make any profit from these persons who have been hard hit by Providence or who have been suffering from any disease. Even after repeated assurances, the Government has not been pleased to reduce the attendance fee from Rs. 15 to Rs. 10. Sir, it is really high time that the Government foregoes this sum and confers this boon on the people by reducing the fees."

Mr. P. ANJANEYULU :—"Sir, I wish to point out only one thing from the report of the administration of this Presidency for the year 1926-27. In page 63 of that report, we have these figures: the income from Registration rose from 30.51 lakhs to 31.11 lakhs and the expenditure rose from 26.43 lakhs to 27.82 lakhs, leaving a balance of 3.39 lakhs as profit under this head. So if the out proposed is only to facilitate the reduction of fees for private attendance, in the circumstances already stated, I do not think the Government will be put to any loss under this head. I request that they will take note of this and reduce the fees as proposed."

\* Mr. K. V. R. SWAMI :—"Sir, during the last budget discussion the Minister who was then in charge of Registration department promised that he would look into the matter and do something. He did something by way of reducing the charges by Rs. 5. It was then never contemplated that Government would be so niggardly in attending to this. What was originally intended to be a service department has now been turned into a department yielding revenue. The figures for the income and expenditure for the last three years are: for 1926-27 they are 40.52 lakhs revenue and 25.58 expenditure; for 1927-28, 39.9 revenue and 26.43 expenditure; for 1928-29, 35.12 and 27.4. That shows that there is a surplus of about 8 lakhs during the budget year. This is a small request, to have it reduced to the original rate of Rs. 10, and if, as was pertinently pointed out, the Government do not want to make it a revenue department, there will not be any loss to the Government by such a reduction. Government should take into consideration that in addition to these attendance fees, the people have got

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[Mr. K. V. R. Swami]

to pay the travelling expenses also. I therefore recommend the motion for the acceptance of the House."

\* The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, the fees for attendance was fixed in 1865 at Rs. 10. It remained there up to 1915. After that it was suggested that it should be increased and the Committee which examined it thought that it ought to be raised to Rs. 20 for men and Rs. 15 for women. But Government thought it would be difficult to make any such differentiation and made it Rs. 20 in all cases. Then my hon. Colleague gave an assurance that he would look into the matter and see if it could be reduced. After looking into the matter, he had it reduced to Rs. 15. The present reduction will involve the Government in a loss of Rs. 30,000. If further reduction is made, you will see that the loss will amount to 12-45 Rs. 60,000. What the hon. Minister said was that he would see in what P.M. way the reduction to Rs. 15 will work and after a year's working if we find that there is not such a great demand as to involve a greater amount of work we will see whether the fee cannot be further reduced to the original figure."

\* Diwan Bahadur M. KRISHNAN NAYAR :—" In view of this statement I do not press it."

The motion was by leave withdrawn.

\* Mr. R. SRINIVASA AYYANGAR :—" I beg to move

*'to reduce the allotment of Rs. 25,20,900 for district charges by Rs. 100.'*

" My object in moving this motion is to discuss the undesirability of sub-registrars enquiring into will cases and to restrict their powers in those of contested wills to the mere filing of copies and leaving them to seek redress in courts. Under the present state of law the position is this. In case of instruments other than wills whose execution is denied or disputed by the alleged executant or representative-in-interest, the sub-registrar is required to refuse registration leaving open to the aggrieved party to carry the matter higher up to the Registrar who under the Act has to hold an enquiry and either to direct or refuse registration as the evidence may justify or demand. But a different procedure is laid down with regard to the wills irrespective of the value of the property. It is a well-known fact that the value of property in cases of contested wills is often considerable and under the statutory provision in all cases of contested wills the sub-registrar is required to hold an elaborate enquiry, to examine witnesses on either side, to hear arguments and then make an order one way or the other. In the event of refusing registration an appeal lies to the district registrar. But in cases where he directs registration no right of appeal is given. But invariably the practice is, as we have seen in experience, that in all cases of contested wills where registration is ultimately refused they take the matter to the civil courts. There is oftentimes duplication of work and nobody seems to be satisfied with the manner in which this is disposed of by the sub-registrar. Because, his knowledge of the law of evidence is imperfect and his appreciation of evidence is found to be miserably poor. This gives satisfaction to none. There is absolutely no reason why these sub-registrars should be invested with powers to go into the question of contested wills, especially when the matter is to go up once again before the properly constituted

[Mr. R. Srinivasa Ayyangar]

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judicial tribunal which is not in any way bound by the finding of the sub-registrar. People have generally greater confidence in the district registrar than the sub-registrar. Therefore the present section which makes it incumbent on the sub-registrar to hold an enquiry may be replaced by a system of investing district registrars with this jurisdiction or by making it a rule to refuse registration in all cases of contested wills by referring the parties to civil courts. So far as this matter is concerned, this Government can do nothing as this is a matter governed by an Act of the Central Government which contains a section investing jurisdiction in these officers. My motion is to give a strong expression of opinion so as to enable this Government to take the initiative of moving the central legislature to amend the Act. For these reasons, Sir, I beg leave to make this motion."

\* Mr. C. RAMASOMAJULU :—" Mr. President, Sir, it is our experience that in almost all cases where the sub-registrar holds an enquiry the decision is invariably challenged in the civil courts. Even when it goes on appeal to the district registrar the decision is not res judicata and the whole thing has to be discussed in a civil court again. Invariably in every case where there is an enquiry by the sub-registrar and the registrar the matter is agitated in a civil court and from the beginning the whole process has to be gone through and all the witnesses have to be examined again unless it be that a particular witness happens to die and the whole process leads to increased expenditure and worry to the clients. After all, there is little chance of the finding of the registrar or sub-registrar being final because it has absolutely no force in a civil court and the civil court is absolutely free to come to any decision on the materials placed before it. Therefore it is a meaningless expense to the clients and there is a lot of worry in going from stage to stage involving a reduplication of the whole trial. So that, as a matter of procedure and practice we find these enquiries by the sub-registrar and the registrar are not necessary. But this Government is powerless in the matter. If this Government takes the initiative in the matter, our motion will strengthen their hands. It is with this view that we bring this motion. If we do not bring this motion, Government may not move as quickly as possible. It is unnecessary expense that the people are being put to and the sooner that is done away with the better. A decision direct of the civil court is the most convenient course in such cases."

\* The hon. Dr. P. SUBBARAYAN :—" As my Friend the mover of the motion ended his speech, this is a matter which is governed by the Indian Registration Act of 1908 and so it is a matter which has to be amended by the Government of India. I am sure my hon. Friend is aware that Mr. Doraiswami Ayyangar has already introduced a Bill to this effect in the Assembly. I quite realize the difficulty of having a double procedure. The whole procedure where wills are concerned is gone through first before the sub-registrar, then on appeal to the registrar and as that does not conclude the legality of the will it is further taken to the civil court where the decision of the registrar is not final. We shall convey this fact to the Government of India and see in what way this matter may be looked at so that it may be settled in a way satisfactory to all parties."

The motion was by leave withdrawn.

\* Mr. S. ARPUDASAMI UDAYAR :—" Mr. President, Sir, I move

*'to reduce the allotment of Rs. 26,20,900 for district charges by Rs. 100.'*

"My motion, Sir, is one which relates to a matter of detail but still it inflicts

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a hardship especially on Indian Christians. The District registrars have opportunities of seeing and testing the applicants and knowing what their qualifications are. But according to the present practice they should make recommendations. They are not empowered directly to appoint clerks. They have to refer such matters to the Inspector-General of Registration. I do not know why this is done. I can understand the selection grade appointments or the appointments of the probationary sub-registrars being vested in the head of the department. In practice I know that many Indian Christian applicants are thrown out and whenever the district registrar is approached he says that all these appointments are to be made by the Inspector-General of Registration. I can understand these appointments being subject to confirmation, especially the small appointments of clerks. But to lay down that all these minor appointments are to be in the hands of the head of the department is certainly unnecessary."

\* The hon. Dr. P. SUBBARAYAN:—"Already the district registrar has got power to appoint clerks in the lower division and in the City of Madras up to Rs. 85. My hon. Friend evidently wants all appointments to be in the hands of the district registrar. I do not know what difficulties stand in the way of such powers being given. But I shall cause enquiries to be made and see whether conveniently my hon. Friend's recommendation may be given effect to if possible."

The motion was by leave withdrawn.

Mr. V. I. MUNISWAMI PILLAI:—"I move

*'to reduce the allotment of Rs. 26,20,900 for district charges by Rs. 100'*  
(To discuss the advisability of the registration authorities personally seeing the consideration paid to party or parties in the case of illiterate depressed class members before connected deeds are registered).

"Sir, in these poverty stricken days when the half clothed and starving depressed class members try to sell their property in certain cases they are not even paid consideration for the same. I know of an instance in Vishamangalam village in the Tirupattur taluk of the North Arcot district where an Adi-Dravida on account of his poverty stricken state had to sell his land to a Gounder and when he went to the sub-registrar's office, the sub-registrar asked him whether he had received the consideration. I do not know whether he said yes or no. But the document was registered and the man was not paid consideration. Due to the kindness of some of the people the man took the matter to the Sub-Collector who convicted the Gounder who purchased the land. But when the Gounder appealed to the Sessions Court the judgment was reversed. Consequently the Adi-Dravida had to part with his land without receiving any consideration. Sir, in these hard days, unless a certain amount of protection is given to these illiterate depressed classes they will be put to great hardship. So, a circular or communication may be sent to all the sub-registrars to take care of the interests of these illiterate depressed class members."

At this stage the Council rose for lunch.

**After lunch (3 p.m.).**

The two new Ministers, Messrs. S. Muthiah Mudaliyar and M. R. Seturatnam Ayyar, were in their seats on the Treasury bench when the hon. the President took his seat at 3 p.m. After the hon. the President had taken

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his seat, there were cries of 'Shame on the Ministry,' 'get out,' 'resign,' 'traitors' and 'renegades' from the Congress benches, which continued for about two minutes.

\* The hon. the PRESIDENT:—"Order, order. The Council will now resume the debate on Mr. Muniswami Pillai's motion."

\* Mr. L. K. TULASIRAM:—"Mr. President, Sir, in supporting the motion proposed by Mr. V. I. Muniswami Pillai, I wish to say a few words. The illiterate people and members of the depressed classes sometimes are made to stand at a great distance from the sub-registry offices, and they are not in a position to communicate to the registering officers whether they have received consideration for the deeds which they have executed. More facilities ought to be given to the members of the depressed classes; and I would request the Government to issue special circulars that whenever the executants happen to be members of the depressed classes, they should be asked to go near the registering officer and given all facilities for communicating to the registrar whether they received consideration or not. Sir, the request made by Mr. Muniswami Pillai is a small request. The registering officer ought to be more sympathetic to the public who go there to register documents.

"Another thing, Sir. I hope the New Minister who has taken the portfolio (Mr. Satyamurti and others: Oh! Oh!) would issue circulars and see that in his régime at least all these facilities are given to the depressed classes."

The motion was put to the House and lost.

Demand V for 26 89 lakhs was then put to the House and carried, and the grant was made.

#### DEMAND VI—IRRIGATION—CIVIL OFFICERS.

\* The hon. Sir NORMAN MARJORIBANKS:—"Mr. President, Sir, on the recommendation of His Excellency the Governor, I move

*'that the Government be granted a sum not exceeding Rs. 15.98 lakhs under Demand VI—Irrigation—Civil Officers.'*"

\* Mr. G. HARISARVOTTAMA RAO:—"Mr. President, Sir, I move

*'that the allotment of Rs. 15,91,500 for minor irrigation be reduced by Rs. 100'*

(To discuss the policy pursued in regard to kudimaramat and to draw particular attention to the need for immediate legislation to avoid official vagaries).

"Sir, like all other executive branches of work that have been carried on by the bureaucratic side of the Government (Mr. Swami Venkatachalam Chetti: 'There is no other side')—there is no other side, and so it is not necessary to take into consideration any other side at present—the kudimaramat system in the country rests on only very feeble law. The law that relates to kudimaramat is embodied in the Compulsory Labour Act. There are only two clauses which refer to this system at all. In the preamble there is this sentence: 'Whereas it is expedient to make legal provision for the enforcement of the duty which by legal custom is incumbent on village communities to furnish labour required for the execution of certain works for the purpose of irrigation and darinage, etc.' That is one portion of the law, if the

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preamble is law ; and then the reference to kudimaramat is only in section 6, which is almost a penal clause : ' Whenever by local custom any work for the purpose of irrigation or drainage is usually executed by the joint labour of any community, any person bound by such custom to contribute labour for such work who neglects or refuses without reasonable cause, etc., etc.' These are the only two provisions of law under which the kudimaramat policy of the Government is framed and worked. The Government in their Standing Orders have made certain specific rules and they lay certain duties upon the village communities. I do not quite see whether the Government has really the legal power to lay all these duties upon the village communities ; they have also taken upon themselves to see that these duties are performed by village communities wherein such performances are customary. Based upon a slender law, the kudimaramat system, especially in my district, works a very great hardship on the ryots. No doubt, the Board's Standing Orders are to some extent a guidance so far as the revenue officials are concerned. But under the present system of Government, the revenue officials are more mindful of the Government's revenue than of the conditions of the ryots. Therefore, the interpretation of the word 'customary' is very wonderfully given by the Government authorities. For instance, take the Cuddapah-Kurnool canal itself. This canal has a number of distributary channels under it. There is a sluice very near Kurnool within about three miles of it. There is a small village there to which reference was made in one of my interpellations. Under that sluice there is only one distributary channel. That channel runs through black cotton soil and because it runs in a downward slope, the sides are cut, and the ryots in the lower reaches of the channel are not able, according to the admission of the Government itself, to get sufficient supply of water. In this case, the ryots who asked for repairs of that particular channel were told that they should repair the channel themselves, because one of the applicants happened to be a rich man. Rich or poor the ryot has his rights. Whether he is rich or not, under the particular conditions his right must have been decided in the first instance. Nothing of the kind was done. I made a reference ; and it was answered, through the courtesy of the Government, on the floor of this House. What was the answer ? 'The Collector and the Executive Engineer have carefully considered the policy to be pursued in this matter and they have come to the conclusion that in this matter the ryots themselves must repair the channel.' It is a very wonderful power that the Collector and the Executive Engineer have taken upon themselves under the existing law. Such instances I may be able to multiply. There is absolutely no power vested either in the Collector or in the Executive Engineer or in both jointly, to consider what they have to do under the circumstances that I have mentioned. In a similar manner, there are a number of cases where the customary nature of works is enforced without any reference to the real needs of the ryot and to the real facts of the situation. Wherever there is a work to be performed, the revenue officials, some of whom have some influence with the ryots, first of all cajole the ryots into putting into repair some part or other of the irrigation system and then they make it a precedent ; and under the cover of that precedent, they say 'it has been customary, therefore you have to pay for it ; if you do not pay for it we will penally assess you.' This is the way in which the word 'customary' is being interpreted. The Board's Standing Orders have made a provision that if there is a prickly-pear growth on the banks of irrigation channels or things of that kind, it should

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be removed. Who is to remove this? We know according to the Revenue Department the ryot has to remove it. But who is to get it removed? The revenue official. In many places, the revenue official has not done his duty, the ryot has not been asked to clear it nor has he been forced to clear it. Even if he were forced to clear it (though men like me would call it zoolum) probably the growth would not be as thick as it is to-day. That has not been done. The growth is very heavy in certain places, and it is impossible for the ryots to repair the sources of irrigation or remove such growth as has developed in the course of a number of years.

"Now this also has been considered by the Government, I know. In a recent answer that they gave to me on the floor of the House, the Government say 'If we encourage this sort of work to be done by Government then the whole burden will fall on us; the ryot will not have the incentive. Therefore the ryot will have to be asked to contribute some portion of labour.' Who is to decide the contribution, who is to shoulder the responsibility of bringing matters to the notice of the Government, what arrangements should be made to ask the Revenue Department to work in a manner as to be beneficial to the ryots, are all questions which I am unable to answer.

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p.m.

"Therefore, Sir, I feel that in regard to the question of kudimaramat there is a great deal of difficulty that the ryot is undergoing. Recently I was told that in the Markapur taluk about Rs. 600 or Rs. 700 were collected in regard to one particular tank, Badvid tank as it is called, and the reply given to me was that it was collected because the ryots did not do the work. I said it was under famine conditions that the levy was made. Then I was told 'no, no, the crops raised there were very good'. I had the misfortune of representing the ryots last year in this Council and I drew the particular attention of the Revenue Member to the state of matters in the Markapur taluk. In the first instance in the Collector's report to the hon. the Revenue Member the whole thing was depicted in the brightest of colours; afterwards when I made up my mind to put into the ears of the hon. the Revenue Member all that had happened he felt the necessity of getting a special report; he got the report and after the report was got he was able to do something for the Markapur ryots because he thought that really the circumstances in the Markapur taluk were deserving of attention. I challenge the figures that were given by the Revenue Department with regard to the particular area. I know as a matter of fact that the Revenue officials had a great deal to do with the manipulation of the figures; but that is impossible to prove, because no karnam will come forward and say I was asked to do that for fear of dismissal. Therefore, under these circumstances you are bound to say that these ryots are suffering. If they are suffering, it may be said there is the law court to which they can go. I know that might be the contention against me, but the ryot is such an ignorant man and a poor man that if he goes to a court of law for the 8 or 10 annas that he is paying, he will have to spend in addition a great deal of money and that enterprise would mean capitalistic capacity on the ryot's side, which he does not possess under the present British Government. Therefore the ryots do not generally go to a court of law. The fact that one ryot goes to court does not mean that the whole community would go because the ryots are hopelessly poor, they have already been overburdened, and they have been already overtaxed. I want to urge that in the matter

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of this kudimaramat policy of the Government, there should be a clear and definite law, but I may be told that the irrigation law is a larger and wider business and we will have to wait till the irrigation law comes into being. When the irrigation law comes into being nobody knows; it may take a hundred years. An irrigation law has been attempted to be passed and to be pushed through this Legislative Council, but on account of the obstinacy of the Government in certain matters, it has not gone further. The irrigation law is a thing of a very distant future to the suffering ryot. His suffering is immediate. He not only suffers on account of the exactions that are made, but he also suffers on account of the deterioration of the irrigation sources. Not only that, there is an additional defect in the law even from the point of view of the Government. Only the ryot has to take into his head to sue the Government and I am sure the courts can give a decree in favour of the ryot. The law is entirely misleading so far as the conduct of the lower officials are concerned and the Government will be well advised, in its own interests as well as in the interests of the ryot, to make it more clear than what it is to-day. With this intention, I sent up a Bill to the Government. It is a great privilege that we have been accorded in this House after the reforms, that a Member shall not bring in a Bill that affects the revenues of the Government until he gets the previous sanction of the Governor. Therefore, I had to send in a Bill for the sanction of the Governor. I sent it about the month of July last and what is the reply I got in the month of October. I was told that this is a matter which affects the revenues of the Government and that the Government is making investigations in this matter as to the extent to which the revenues of the Government may be affected. That was the reply I got in the month of October and to-day we are in the month of March. I am not in sight of any other reply except that vouchsafed to me in October. The wheels of the Government move so slow. I therefore feel that we have the right to press upon the attention of the Government that with regard to the law of kudimaramat, until they make up their minds to make it clear and make up their minds to tell the ryot what his duties are and the duties that obtain customarily, we shall not be in a position to accept the policy of Government. As it is to-day the policy is one of oppression and exaction. The exactions are really illegal. I therefore appeal to the House through you, Sir, that this motion be accepted without any dissentient voice."

\* Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, although several subjects could be brought under this question, I want to confine myself to one point and, that is, to lay a serious charge of immorality and dishonesty against the Government of Madras in the Revenue Department. This is no doubt a serious charge, but I make it most deliberately. There is little difficulty as to what are the particular kudimaramats in each village, as the settlement register gives the particular kudimaramats that ought to be done in each and every village. In Coimbatore taluk the hon. the Leader of the House knows very well the Chitrachavadi channel. There was a particular repair to be made and the Government dishonestly and immorally insisted upon the ryots paying the cost though it was not a kudimaramat included in the settlement register. Processes were taken for the collection of these sums and moneys were paid under protest. Mr. Harisarvottama Rao stated that probably courts would give decrees in favour of the ryots if suits were filed. In fact, in the case we had to file test suits and the Government seriously contested the suit and after the trial we got a decree and what is the result of it. The

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Government pleads limitation to-day. They paid the decree amount only to that particular decree-holder, but for the large number of the other people from whom money was extorted and exacted illegally, they refuse to pay and immorally plead limitation. Things went on for some time and the question of Kuniyamuthur channel came up. The Government conscious of their powers both by votes and otherwise insisted upon collections being made illegally again for some repairs in that channel and sums were compelled to be paid for it though it was not one of the kudimaramats mentioned in the settlement register. Associations were formed and resolutions were passed and registered notices were given calling on the attention of the Government to the previous litigation as regards the other channel and yet the Government were refusing to do anything and we had to file another set of test suits. The Government with all their legal advice again contested these test suits and after a trial the Courts again gave a decree in our favour. But yet in spite of notices from other people the Government are refusing to pay the other people who have paid on account of these illegal processes. Therefore in spite of the suits filed by the ryots, in spite of the Government opposition with their legal advice, for which we have to pay, and in spite of our having obtained decrees in the test suits the Government, I deliberately say, has immorally and dishonestly kept back the money. In the second test suit they wanted to prolong by threatening to file an appeal and in their usual way applied for copies saying that they would file an appeal, but after the copies were obtained and the appeal time was approaching they seriously thought that they had no legs to stand upon and then said that they were not going to file an appeal. As I said before, I wanted to confine myself now to the one question of the serious charge of dishonesty and immorality on the part of the Government in the Revenue Department. I therefore appeal to my hon. Friend, the Revenue Member, to say as the Leader of the House and as the Vice-President of the Executive Council of the Governor of Madras, whether he is going to insist upon the plea of limitation and refuse to pay to the various people the sums paid by them. There may be thousands of ryots owning lands under these channels—I am one of them—but is it possible for every one of them to file suits? We collected subscriptions and filed test suits and the Government went on contesting the suits and yet we succeeded. Is it fair for the Government to say that each man must go to a court of law and obtain decrees? Though he might have paid nine annas and three pies, though the sum is individually small, yet the whole is a large one as it comes to about Rs. 10,000 for each of these kudimaramats. They have done this not only for these two channels but they have done so in the case of other channels over and over again. I have given specific notice of these things and so the Government cannot say it is a new thing—I appeal to my hon. Friend, who was for a long time the Collector of the district, to say, if what I say is true or not—I assert that what I say is true—and not to plead limitation but to affirm—that every one will get back his money that has been found to have been collected by illegal ways. That is the only one point I want to vehemently refer to now. I hope that is a point which I think will be cleared up in the course of my hon. Friend's reply."

\* Mr. P. BHAKTAVATSALU NAYUDU:—"Mr. President, Sir, if there is a serious grievance with the villagers in the interior parts of Chingleput of which I have got a fair knowledge, it is this system of kudimaramat. The

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British Government poses itself as the champion of the poor and in season and out of season they say that they are sympathetic to the poor but it is only lip sympathy, but their heart is in a steel frame which cannot go to our countrymen because they are foreigners; we are not their countrymen and they cannot see eye to eye with the difficulties of the poor ryot groaning under such difficulties in a far off place in this vast continent of India, or at least this Presidency. Mr. President, it has been said in this Council time and again that the British Government are the champions of the depressed classes and for those people who are poor and that they are sympathetic towards them and they care more for the prosperity of the generations to come though not for the present. That is what the hon. the Finance Member said when he was speaking on the Forest demand that he cares more for generations and not much for the present. If we go into the interior of the districts and see the poor villagers, who cannot eke out their scanty existence how they are oppressed by the revenue officials, this kudimaramat system is a thing that the Government should do away with. They are the protectors of the subjects and we are their subjects and it is their bounden duty to do and to look for the convenience and comforts of the ryots who are oppressed by the revenue taxes and by the settlement and revenue officials like anything.

“Official Members that sit here and see through the eyes of their karnams and village munsifs and from reports passing from the talaiyari to the District Collector, who sit comfortably except for the jamabandi once in a year, should realize that he sees through these reports and does not know the actual conditions that are obtaining! What is the meaning of this kudimaramat? Why should the kudi or the ryot maramat such channels, clear prickly-pear and keep in repair water-courses? The Government are taking coercive methods with the poor cultivators. When they are unable in these bad monsoon years even to get their own sustenance, they have yet to pay these taxes, do kudimaramat, pay water-cess and every blessed thing that can be conceived of to loot the villagers. That is the actual thing that is going on in the villages, when we are here comfortably sitting in these Reform days, in such big Councils and august Chambers talking away. Why, Sir, we are wasting our time without looking to the real convenience and comfort of the ryots who are groaning under such heavy burdens imposed by the Government. So, Sir, it is high time that our British Rulers should open their eyes, their hearts and their ears too and see that the ryot on whom the whole revenue of the Province depends is cared for and is looked after and that these kinds of ‘maramats’ are given the go-by and the consequent hardships under which the poor ryots are now groaning are done away with.”

\* Rao Sahib R. SRINIVASAN:—“Sir, the law of kudimaramat or the custom of kudimaramat is not only a trial for the ryots but of the whole community of the depressed classes. Kudimaramat gives room for forced labour. Kudimaramat was intended to attend to tanks when in danger and to put out fire when it broke out and we may say that practically the whole labour for this comes from the depressed classes. The members of the depressed classes, are put to all sorts of coercion. Since the Village Panchayat Act came into force, we find that street clearing, clearing away of prickly-pear, clearing water-ways and all these sorts of work are being taken up by the villagers. And in one instance, the ryots even took up the contract for

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the road-work and they mobilized labour under the kudimaramat system and had the work done. Nobody knows whether these people were paid at all for their work that ordinary men according to the kudimaramat are usually paid. This is something in the nature of forced labour. But I do not want to lay very much emphasis on this aspect. Under the kudimaramat, the labourers are taken and there is nobody to question whether they are paid any wages or not. I think it is high time that this system should be done away with."

\* Mr. R. SRINIVASA AYYANGAR :—"Mr. President, Sir, the policy underlying this kudimaramat system seems to me to be most pernicious and absolutely unjustifiable. The ryots are already groaning under very heavy taxation. The assessment is very high; in addition thereto they have to pay what is generally known as road-cess; and not satisfied with that, another cess, known as the education-cess, has also come into being; and as if these hardships did not suffice, this Act also is still enforced, which operates to the detriment of the ryot.

"Now, Sir, the kudimaramat system is in vogue throughout the greater portion of this Presidency. Under that system, people or the ryots holding lands in the village are required at their expense to remove silt, dig channels, remove prickly-pear and do other kinds of work which may be absolutely necessary for the purposes of keeping their lands in proper order so that they may get adequate supply of water for having the proper yield. On turning to the Act, section 6 of the Act which has been enacted long before any one of us had been born—it is Act I of 1858—says that in the event of the ryots' refusing to pay the work may be exacted and twice the value of that work may be levied or collected from them as if the said amount were payable on demand. In 1858, the value of labour may have been nil or very negligible. But what is the value of labour to-day? The value of labour has increased even four-fold and to still retain that section, overlooking the present state of things, is shutting one's eyes and even ears to the real economic condition of the people.

"The House may perhaps remember that in the Irrigation Bill there was a specific clause to do away with this kind of labour. I am only quoting from memory, but I believe there were two chapters, Chapters 8 and 9, in the Irrigation Bill which dealt with the kudimaramat system and which contained certain provisions calculated to minimise the hardship now felt under the present system. People are almost crippled to-day. No doubt, the original Bill that was introduced into this Council contained provisions of a retrograde character, but the Bill which was committed to the care of this House went through the careful scrutiny and attention of hon. Members of this House with the result that the Bill as it finally emerged from the Council contained provisions of a salutary character and of a fairly satisfactory nature. But, Sir, that Bill has been consigned to the limbo of oblivion.

"The object of this motion, Sir, apart from accusing the Government of indifference, apart from accusing the Government of not discharging its duty or of neglecting its duty to the people, is to point out that, irrespective of the time that the Government may take to introduce or re-introduce an Irrigation Bill, it is up to the Government to take up the consideration of those portions of the Irrigation Bill which directly dealt with this kudimaramat system

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and see its way to introduce a Bill containing these provisions as early and expeditiously as possible. There is absolutely no justification to allow the old state of things to continue. The time has come for the Government to change its angle of vision and go to the rescue of the ryots."

\* Mr. K. KOTI REDDI:—"Mr. President, Sir, I do not really think there is any policy underlying this Act by which the customary labour has been enforced. But, I believe, the only justification that could be sought for in favour of this customary labour seems to be only with regard to the enforcement of such labour in times of emergency when it is thought that it is absolutely necessary in the interests of keeping up the irrigation works at times of emergency that such labour should be enforced. There is probably some justification for that. With regard to the other aspect, namely, that this customary labour is necessary to maintain the works for continuous supply of water, the only justification so far as I can see is, that such works being small supervision over them by the Government may not be easy or that it may not be possible for the Government to maintain these works at the cost at which, probably, the villagers themselves could do it. That is the only justification that could probably be set up on behalf of the Government."

"But, Sir, as some hon. Friends pointed out, the cost of labour now has increased so enormously that in many cases the labour required for getting water for irrigating an acre of land may not be less than Rs. 20 or Rs. 30 per acre. It seems to be altogether unjustifiable, especially when the Government is supplying water to the ryots under big canals for Rs. 10 or even Rs. 6 per acre. Simply to justify this customary labour and enforce it on the ryots which costs them about Rs. 30 or Rs. 40 per acre on account of the existence of customary law, is altogether unfair. If the Government thinks that it would be much easier to leave this work to the villagers themselves, what they ought to do is not to charge for the water at all. On some other occasion we were told account of the cost of labour is taken at the time of settlement in cases like this. But, as a matter of fact, something like Rs. 6 or Rs. 8 is charged as a consolidated rate per acre of wet land in case where, as I have calculated, it would take Rs. 30 or Rs. 40 for labour to irrigate one acre of land. If this is the case, Sir, there is absolutely no justification for the Government. Government must either supply the water at their own cost or see that the ryots are not charged for that water at all. I have known an instance in which in my own district in Proddatur, something like three to four hundred acres of land which were once wet are now dry. The ryots have been assessed something like Rs. 10 per acre for these fields. They are not under wet cultivation for the last ten years. The Government says: 'You have to get the water yourselves, because under the kudimaramat law you have to do it yourselves.' The ryots feel unable to do the work themselves. If the silted channel is to be dug again, it will cost a good deal to the ryots, with the result that these three or four hundred acres have not been cultivated for the last ten years. That is the result of the kudimaramat law."

"What I say is this: I believe there is some justification for customary labour with regard to small works, because it is much easier for the ryots to do the work. It may not be, in those cases, easy for the Government to maintain and supervise them. But if the Government wants the poor ryots to do the work, they must have some relief, for they have to spend a good deal

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of their labour, money and time for maintaining these works. If, on the other hand, Government is prepared to undertake to supply them with water and pay for the labour, themselves, let them do so and charge the same rate that they do for supplying water to the ryots under big canals.

"In regard to the other aspect of it, if the Government thinks that it is absolutely necessary, in times of emergency, to extract work from the villagers and to retain such a penal provision, it would not be fair to make them pay for it. There may be a provision to enforce labour under conditions when times of emergency require it. But it would be fair for Government on such occasions to pay afterwards. But in the other case, there is absolutely no justification for the Government to tell the ryots that because it is customary labour they must do it and that Government have no obligation to maintain them. If they feel the necessity for such customary labour, let them not charge for the water. That would be some consolation to the ryots for this forced labour, though the cost of labour for supplying water per acre is far above the rate that Government is charging from the ryots under the bigger canals, like the Godavari, Kistna and the Tungabhadra or the Cuddapah-Kurnool canal.

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"The ryots under these canals are supplied with water from Rs. 6 to Rs. 10 whereas in places where kudimaramat labour is now in force it costs them Rs. 30 or Rs. 40. I hope, therefore, that the Government will be sympathetic enough to see the unfairness of their action in this respect under the pretext of observing an old customary law."

\* The hon. Sir NORMAN MAJORIBANKS:—"Mr. President, Sir this subject of kudimaramat now under discussion falls under two categories; one is the compulsory recruitment of labour at the time of emergency, say on the occasion of breaches and so forth, and the other is the regular customary repairs to irrigation works. As regards the first category, there was not very much criticism, and I think hon. Members recognized that some such provision was necessary. The bulk of the criticism was in respect of the execution of ordinary repairs by the ryots as customary labour. I suppose the principle underlying that system is that work of that sort will be more promptly, efficiently and cheaply done by those who are vitally interested in it than if it were left to an official department. Several particular cases have been referred to where it was stated that the action of the officials have been unreasonable or harsh; but as Government have not had notice of any of those particular cases, I cannot say how far the circumstances set forth by the Members that spoke are correct. I have however taken a note of, and will examine, those cases. But, as to the general proposition, I may go so far as to say that Government are generally disposed to agree that it would be better at the present day when custom is at such a discount to provide for a better definition and understanding of the liabilities of the ryots in this respect. The Bill which my hon. Friend from Kurnool brought forward has been sent to all Collectors for report on two points: firstly, to get an estimate of the additional liability that Government would undertake and the expenditure they might have to incur, and, secondly, to ascertain how far it would affect the proper upkeep of these works if the ryots were not to be expected any longer to carry out the repairs but they were left to be done by official agency. It is not easy to get such information promptly. It requires very considerable and detailed investigation, and the House may

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be sure that this matter will not be in any way forgotten and that Government will push on the case as fast as they can. But I have considerable misgivings whether the ryot will benefit in the long run under a law which states that no longer will the Government enforce any customary liability on the part of those who are really interested in the work and that the work should be left entirely to be done by official agency on the basis of budget allotments and financial estimates. I am very much afraid that good many works would escape attention and that the ryot would find himself much worse off. But, as I said, this is a matter for investigation. Some reference was made to the instructions which were issued under the Board's Standing Orders— which of course are on the same lines as those suggested by the hon. Member—with a view to guide the Revenue officers in the administration of a very general rule. I do not know if they can be very much objected to except on the ground that they do not go as far as may be desirable, and that they ought to be more definite and be put into legislative form. I hope the hon. Member will understand that the Government are not wholly opposed to his Bill. They at present desire to ascertain clearly how far it will make the Government and not the ryots liable and to estimate the consequences."

\* The hon. the PRESIDENT:—"The question is to reduce the allotment of Rs. 15,91,500 for Minor Irrigation by Rs. 100."

The motion was put to the House and declared lost.

Mr. Bhaktavatsalu Nayudu demanded a poll which was taken with the following result:—

*Ayes.*

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|--------------------------------------|--------------------------------------|
| 1. Mr. C. R. Parthasarathi Ayyangar. | 21. Mr. K. V. R. Swami.              |
| 2. " Chavadi K. Subramania Pillai.   | 22. " D. Narayana Raja.              |
| 3. " S. V. Vanavudaiya Goundar.      | 23. Dr. B. S. Mallaya.               |
| 4. " S. Arpudaswami Udayar.          | 24. Mr. C. Marudavanam Pillai.       |
| 5. The Zamindar of Gollapalli.       | 25. " Methay Narayana Rao.           |
| 6. Mr. U. Ramaswami Ayyar.           | 26. " C. Ramasomayajulu.             |
| 7. Swami A. S. Sahajanandam.         | 27. " Basheer Ahmad Sayeed.          |
| 8. Rao Sahib R. Srinivasan.          | 28. " P. Bhaktavatsalu Nayudu.       |
| 9. Mr. A. Ranganatha Mudaliyar.      | 29. Sriman Biswanath Das Mahasayo.   |
| 10. " R. N. Arogyaswami Mudaliyar.   | 30. Mr. A. Kaleswara Rao.            |
| 11. " Sami Venkatachalam Chetti.     | 31. " R. Srinivasa Ayyangar.         |
| 12. " S. Satiyamurti.                | 32. " K. Koti Reddi.                 |
| 13. " C. V. Venkataramana Ayyangar.  | 33. " L. K. Tulasiram.               |
| 14. " T. Adinarayana Chettiyar.      | 34. " K. R. Katant.                  |
| 15. " P. Anjaneyulu.                 | 35. " K. Madhavan Nayar.             |
| 16. " J. A. Saldanha.                | 36. " P. Siva Rao.                   |
| 17. " C. S. Govindaraja Mudaliyar.   | 37. Syed Ibrahim Sahib Bahadur.      |
| 18. " G. Harisarvottama Rao.         | 38. Rao Bahadur C. S. Ratnasabhapati |
| 19. " C. N. Muthuranga Mudaliyar.    | Mudaliyar.                           |
| 20. " Abdul Hamid Khan.              |                                      |

*Noes.*

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|---|---|
| 1. The hon. Sir Norman Marjoribanks.            | 10. Mr. S. H. Slater.                     |
| 2. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 11. " C. B. Cotterell.                    |
| 3. " Mr. T. E. Moir.                            | 12. " P. J. Gnanavaram Pillai.            |
| 4. " Mr. A. Y. G. Campbell.                     | 13. " R. Foulkes.                         |
| 5. Rao Bahadur C. V. Anantakrishna Ayyar.       | 14. " J. Bhemasaya.                       |
| 6. Mr. F. B. Evans.                             | 15. Subadar-Major S. A. Nanjappa Bahadur. |
| 7. " H. A. Watson.                              | 16. Mr. W. P. A. Soundarapandya Nadar.    |
| 8. " G. T. Boag.                                | 17. " K. Krishnan.                        |
| 9. " A. McG. C. Tampoe.                         | 18. Sir James Simpson.                    |

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*Neutral.*

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|---------------------------------|--|
| 1. The hon. Dr. P. Subbarayan.  | 13. Rao Bahadur Sir A. P. Patro.         |
| 2. " Mr. S. Muttayya Mudaliyar. | 13. Diwan Bahadur M. Krishnan Nayar.     |
| 3. " M. R. Seturatnam Ayyar.    | 14. P. C. Ethirajulu Nayudu.             |
| 4. Mr. A. B. Shetty.            | 15. Mr. T. K. Chidambaranatha Mudaliyar. |
| 5. " N. Siva Raj.               | 16. Rao Bahadur S. Ellappa Chettiyar.    |
| 6. " V. Gangadhara Siva.        | 17. Khadir Mohideen Sahib Bahadur.       |
| 7. Rao Sahib L. C. Gurnuswami.  | 18. Diwan Bahadur S. Kumaraswami Reddi-  |
| 8. Mr. V. I. Muniswami Pillai.  | yar.                                     |
| 9. " D. Thomas.                 | 19. T. M. Moidu Sahib Bahadur.           |
| 10. " S. Venkayya.              | 20. Mr. A. M. Marugappa Chettiyar.       |
| 11. The Raja of Panagal.        | 21. The Zamindar of Mirzapuram.          |

*Ayes* 38 : *Noes* 18 : *Neutral* 21. The motion was carried.

\* The hon. the PRESIDENT :—" This grant will be put to the House at 5 o'clock."

\* Mr. D. NARAYANA RAJU :—" Mr. President, Sir, I move  
*'that the allotment of Rs. 15,91,500 for Minor Irrigation be reduced by Rs. 100'* (in order to discuss the desirability of allotting more funds for the improvement of minor irrigation works.)

" Sir, in the Revised Estimates for the year 1927-28 the expenditure is put down as Rs. 13,86,900 : and the budget provision for 1928-29 is more than for the year 1927-28 by about 2 lakhs. Even this additional provision of Rs. 2 lakhs for minor irrigation in the presidency is not at all adequate when we take into consideration the extent of the area and the number of people that will be affected by these minor irrigation works. The people that will be affected by these minor irrigation works are generally very poor. Their general level of living is very low. They are not rich enough to carry on an agitation and to move the Government to make better provision for their needs. They are not rich mirasidars who can catch the ear of the Government and get large amounts of money in lakhs and crores for their irrigation works.

4 p.m. " The Government in their anxiety to provide funds for big irrigation schemes to benefit the richer class of ryots should not forget these poorer class of ryots. It is these poor ryots who are affected by the irrigation works, and it is they who are more in need of irrigation facilities than the comparatively richer ryots in the deltaic tracts. Therefore, the provision of 2 lakhs made in the Budget Estimate for the next financial year is not adequate enough and I urge that the Government may find their way to spend more money for these minor irrigation works in the years to come."

\* The hon. the PRESIDENT :—" The question is to reduce the allotment of Rs. 15,91,500 for minor irrigation by Rs. 100. Having regard to the short time at the disposal of the House, I think it will be advantageous to discuss all the motions under the general principle. So I call upon the hon. Member Mr. Ethirajulu Nayudu."

\* Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—" Sir, I am sorry the hon. the Revenue Member has allotted even this year only a small sum of money for minor irrigation works. I am at a loss to know what stands in his way to provide more funds for this important work. There are several

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tanks which require repair. I know of cases where villagers go in search of water not only for themselves but also for their cattle. If the tanks are repaired, they will be relieved of much of their difficulties. I am not one of those who is enamoured of colossal schemes costing crores and millions. I have expressed my view several times on the floor of this House and I once more repeat that if the tanks are put in order the masses will be relieved of much of their sufferings. The hon. the Revenue Member cannot now raise the plea of want of funds; and so I shall be glad to know what is it that stands in his way of allotting a large sum of money."

\* Mr. R. SRINIVASA AYYANGAR :—"Sir, I think it would be better before going further to place before the House the number of irrigation works that are in charge of this department. From the report of the Land Revenue Settlement for fasli 1335—the report of the subsequent faslis not having been published I find the total number of irrigation works to be 31,583. During the year ending 31st March 1926 an amount of Rs. 7½ lakhs was spent on the minor irrigation works, and the number of works repaired was 1,935, which bore a proportion of 6½ per cent on the whole. In the next year the allotment was increased and the number of works repaired went up to 2,395. It is true that in the budget under consideration a much larger amount is allotted, which is about 16 lakhs. But, having regard to the total number of irrigation tanks and the large number of tanks that may require repair, it is difficult to understand why such a small allotment is made. I am not, however, to be understood as saying that the entire works stand in need of repair. I think 30 per cent require immediate repair and, having regard to their present condition, I think each work cannot get more than Rs. 500.

"Coming to my district, South Arcot, the number of works amount to 2,138. In the year 1926-27 the number of tanks repaired was 98 and the amount spent was Rs. 58,141. Last year some representatives of my district approached the Collector of South Arcot to increase the amount allotted for repairs of tanks. He went through the whole matter in detail and he raised the number of works to 139 and about a lakh of rupees was spent. But I am not satisfied with it. It seems to me that more money is required to bring under repair a large number of tanks. When we approached the Collector his reply was 'want of funds'. And for this reply I do not think the Collector is really responsible as he is controlled by the Revenue Board and the Finance Member. I submit that the allotment so far made is hardly adequate.

"Now, Sir, it is a hard fact that the lands commanded by these irrigation works pay a certain amount of revenue. And in that state of things what is the point in extending only a kind of step-motherly treatment to these tanks. Why spend lakhs and lakhs and crores and crores of rupees on major projects, leaving severely alone the minor projects? The extent of the land irrigated by these tanks is about nine lakhs. I ask the Government to make an adequate allotment and relieve the ryot of his suffering."

\* Mr. T. ADINARAYANA CHETTIYAR :—"Sir, when the number of minor irrigation works in the province is taken into consideration, the amount allotted in the budget is ridiculously small. It is only the other day that the retired Law Member was complimented by no less a person than the hon. the Finance Member with regard to the grand schemes of irrigation for the deltaic area."

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\* Mr. C. V. VENKATARAMANA AYYANGAR :—" Mutual admiration." (Laughter.)

Mr. T. ADINARAYANA CHETTIYAR :—" No doubt it is mutual admiration but what about the ryot? (Laughter.) But these eminent statesmen seem to think that by doing so their duties are at an end. The vast area of dry cultivation especially in the eternally dry districts like North Arcot, Salem and the Ceded districts do not seem to merit their attention as it were. I want the Government not to forget the fact that if they studied the emigration figures it will be found that it is these districts which are entirely neglected that contribute enormously to the drain of our healthy population to far off lands. Therefore it goes without saying that the smaller attention bestowed by the Government on these districts is the real cause of famine in these areas, and yet hon. Members of the Government are mutually congratulating each other on the inauguration of new and grand schemes, whose end we hope will not be disastrous.

"The improvement of minor irrigation works though unfortunately neglected in this Province, is in the neighbouring state of Mysore, attended to with praiseworthy sympathy. If some of our administrators would read the speech of the Diwan of Mysore delivered at the last session of the Representative Assembly they will be struck with the diligent attention paid by the Mysore Government to the repair of minor irrigation works in that state year after year. Almost the entire number of these irrigation sources have been brought up to a real state of efficiency and is it any wonder if we find the people in that Native State happy, while those here under the benignant rule of the British find themselves unhappy.

"I will give you one or two instances from my own district, North Arcot, to show that irrigation—not necessarily minor irrigation—is neglected. I do not apologise for doing so, for I know the hon the Revenue Member, when he was there, was a popular Collector. When I referred to that fact in one of my earlier budget speeches the hon. Sir Marjoribanks spoke sympathetic words which raised hopes in the people of North Arcot. But I am sorry to tell Sir Marjoribanks did not allow us to realize those expectations; and during the last ten years there has been no change for the better as regards the maintenance of these minor irrigation works. For some time back I received not less than ten letters a week on the average from my voters complaining bitterly of the miserable condition of the irrigation sources. I can give you instance after instance in which the people have spent their energy, time and money in removing prickly-pears and the cost of such labour must have been some thousands of rupees. I will give you one tangible instance of how the irrigation needs are attended to by our Government. In North Arcot in 1901 on receipt of a telegram that a ryot had met with death by starvation in Melmoyal in the Gudiyattam taluk, repairs were attempted, but was again neglected. In 1923 or 1924 repairs to the Melmoyal tank was begun, estimates to the extent of Rs. 30,000 were drawn up and one-sixth of the cost was demanded from the ryots. The poor ryots somehow managed to contribute Rs. 6,000. Work went on for some time and suddenly Government without any warning to the people stopped the work. The labour valued at Rs. 2,000 towards the cost of removal of prickly-pear is all gone; and now Government when asked for the reason say that the work is not remunerative; that it will not give even a profit of six per cent."

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\* “Six per cent rate of interest is Sowcar’s rate, comparing the present bank rate. Government having undertaken this work practically as a famine measure, after spending Rs. 18,000 on it and after asking the ryots to pay Rs. 6,000 which they borrowed at a heavy rate have now stopped the work to the dismay of the ryots.” 4-15  
p.m.

\* The hon. the PRESIDENT:—“Is it minor irrigation to which the hon. Member is referring?”

The hon. Sir NORMAN MARJORIBANKS:—“No, Sir.”

\* The hon. the PRESIDENT:—“I do not think the hon. Member is in order in referring to major irrigation works in this demand; he will do well to reserve his remarks for the next demand.”

MR. T. ADINARAYANA CHETTIYAR:—“If the Government is sympathetically disposed to the prosperity of the ryot who depends on the minor irrigation works they must allot more than 16 lakhs of rupees as they have done at present.”

\* MR. BASHEER AHMAD SAYEED:—“Mr. President, Sir, the amount allotted Rs. 16 lakhs for the whole Presidency works out to about Rs. 50,000 for each district. When we consider that in each district there are so many taluks and in each fika so many villages we shall find that the amount that will be spent on each tank is very small and will not be sufficient even for the ordinary repair. The amount is not enough even for the petty repairs which have to be done year after year. The tanks are not deepened; the bunds are not raised and no attempts are made to conserve the enormous quantity of rain water that goes to waste every year, and could be made available for second crop.”

\* The hon. the PRESIDENT:—“Here again I have to draw the attention of the hon. Member to the distinction between major works and minor works.”

\* MR. BASHEER AHMAD SAYEED:—“I am referring to minor works such as lakes and tanks, by the repair of which more water can be stored in them and second-crops may be cultivated bringing additional revenue to the Government. In the matter of minor irrigation the districts of Coimbatore, Salem and North Arcot are the most in need, and it is necessary not merely to repair the existing ones but also improve them.”

\* MR. K. MADHAVAN NAYAR:—“Mr. President, Sir, I rise to support the motion in order to draw the attention of the Government to the inadequacy of the funds allotted for minor irrigation works in Malabar. Malabar is a district which as I said last year suffers a little too much from good reputation. In years gone by we had not so much of water difficulty; but for some years past Malabar has been suffering either from too much or too little rainfall. During the last three or four years the second crop in various parts of Malabar has invariably been a failure. Not much money is required for minor irrigation works in Malabar. Plenty of water comes to us by way of rains but almost the whole of it is washed away to the sea in a day or two and if only some funds are utilized to conserve them, the problem of our water difficulty is solved. In this connexion I shall refer to two dams that require immediate repair or reconstruction. One is the Viyyam dam in Ponnani taluk and the other is the Iringochira in the Calicut taluk.

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Members from Malabar have been agitating this question for the last two or three years. The Viyyam dam is two or three miles from Ponnani. There the west coast canal containing brackish water enters the vast extent of the cultivable lands in Ponnani taluk and damages the crops. The ryots of the place used to have formerly a dam constructed with boxes filled with sand but the Government a few years ago put up a granite dam. Unfortunately it was constructed so badly that the brackish water entered the cultivated fields and caused damage to the crops. Last year there was some repair done; but that again has not improved matters. The other dam at Iringochira in Calicut taluk is also neglected by the Government. I request the Government to pay attention to these two matters. In page 36 of the Budget memorandum it is stated that for constructing two tidal locks in the West coast canal, Malabar, a provision of 40 lakh is allotted this year out of an estimated cost of Rs. 90 lakh. I do not know whether this includes the Viyyam dam in Ponnani taluk. I am not able to find out whether it is so or not. If it is for the Viyyam dam I have no complaint so far as that matter is concerned provided it is properly spent. In the Calicut taluk so far as Iringochira is concerned, it was formerly maintained by the Zamorin of Calicut; but for some time past no attention has been paid to this. I bring to the notice of Government these two matters and I hope they will see that the grievances of the cultivators in these two places are relieved."

\* Mr. S. ARPUDASWAMI UDAYAR:—"Mr. President, I beg to urge the imperative need for the repair of the tanks in Malaiyadipatti village of the Karur division, Trichinopoly district. For the past seven years, the supply channel to these tanks has not been repaired; the sluices also are very much in need of repair and as a consequence the ryots are becoming poorer and poorer. Many of the ryots requested me to bring this to the notice of the Government and I appeal to the Government to undertake the repair of these works by allotting more funds for this purpose. Even with the small additional provision made this year, it is possible that repairs to these tanks can be undertaken."

\* Sriman BISWANATH DAS Mabasayo:—"Mr. President, Sir, I support this motion to bring to the notice of Government the necessity of giving contracts of minor irrigation works to the villagers themselves instead of the professional contractors. I have been insisting upon this time and again during the discussions on the budget. Only very little money is allotted for this purpose and a good portion of it is eaten away by the contractors and their underlings. If the ryots of the village are put in charge of the work all the money sanctioned for it will be utilized on it and maximum benefit of the same will be realised. It is necessary therefore for the Government to advise the district collectors and divisional officers to give the contracts only to the villagers whenever there is a work to be executed."

"Secondly, Sir, I wish to point out to the hon. the Revenue Member that some of the irrigation works in Ganjam which were breached in the cyclone of 1923 have not yet been repaired. The ryots approached the various Collectors; but they had no money at their disposal. I would therefore request the Government to allot more money for these works for the district of Ganjam. There again are a number of famine works in the taluk of Gumsur which were executed during the famine of 1917 and 1918 by spending Rs. 50,000, Rs. 60,000 in some cases, even more in one case. These minor

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irrigation works, because they are unfinished, are under the charge of no one. A little more money spent on these will add considerably to the prosperity of the ryots and need I add will also augment the revenues of the Government. With these remarks, I heartily support the motion."

\* Mr. K. V. R. SWAMI :—" Mr. President, minor irrigation is necessary for the deltaic districts also. Government perhaps think that irrigation in the deltaic districts is alright; but it is really not so. Parts of deltaic districts are very much suffering for want of water. There are tanks dug centuries ago but not properly repaired. Though nearly Rs. 16 lakhs are allotted as against only Rs. 13 lakhs of last year, considering the number of tanks in the Presidency, i.e., 40,000 the amount allotted works out to such a small average as 40 rupees per tank. I suggest that for this purpose even borrowed funds and the funds in the Famine Insurance Fund might be utilized. Unfortunately the Retrenchment Committee cut down a good portion of the amount for minor irrigation.

"Some useful Tank Restoration parties were very much cut down and the Member in charge was promising to look into this matter. Since we have got now to better times some arrangements can be made to take up the improvement of the tanks. When we ask for a thing it has been customary for this Government to set up a committee to go into the matter, to investigate it, to take up two or three years later and suddenly to drop it altogether after some time. This is exactly what has happened with this department for a long time. Previous to the year 1912 Members of the Council were agitating very much that something should be done to improve the minor irrigation tanks; a Conference was appointed in the year 1912 and they came to a conclusion. They divided the whole area into different divisions. It was stated at that time that the works would be taken up in different divisions as funds and time permitted. In that year G.O. No. 577, dated 13th December 1912, was issued wherein the whole scheme was planned. The whole thing was dropped then because there was the Great War and want of funds. One cannot but accept a position like that. After the war was over they did not do anything at all. I was asking questions whether that scheme would be taken up on hand and completed. The reply was that the scheme was dropped altogether. That has been the customary practice of the Government. If a scheme could not be executed for want of funds for some time, if the people forget about it and if there is no agitation for it the Government actually drop the scheme. There is no heart in the Government. If the Government is not a foreign Government and if it is a Swarajya Government I do not think it can afford to do so. There would be more sympathy. We see so much time and money wasted. A scheme was prepared and the Government gave an undertaking that that scheme would be taken up and executed. If the work had to be suspended for some time during the Great War it does not mean that it should be suspended for ever. These are small things that can be taken up at any time. They go really for the improvement of the country. The real complaint is that people do not get one full meal a day especially in dry districts. People are starving on account of famine. They have to face famine after famine. When famine comes as in the last year the hon. Member of the Government says we are not going to move in the matter unless the people begin to die. That seems to be the criterion for this Government for the existence of famine. Before famine comes the Government do nothing to help these

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poor people by way of repairing the tanks; the tanks have been in existence from time immemorial excavated by Rajas and Zamindars. They have been neglected for a long time. Do the Government suffer any loss? Irrigation works give 12 or 13 per cent interest. That is a very high percentage. You can borrow money at 6 or 7 per cent."

The hon. Mr. T. E. MOIR :—" May I know wherefrom the hon. Member got those figures? "

\* Mr. K. V. R. SWAMI :—" I take them from a speech delivered in this House. I may be wrong; I hope the hon. the Finance Member will give this House correct figures."

The hon. Mr. T. E. MOIR :—" If the hon. Member comes to me, I shall give him."

\* Mr. K. V. R. SWAMI :—" These are matters on which a Government Member must have figures ready at any time; he ought to know what percentage the Government are getting on the investment they make. Figures are given at page 113 of the Administration Report of the year 1925. Perhaps it is better to be more accurate in my figures because they are likely to be disputed. The report says 'the revenue from irrigation works for which no capital account is kept' is Rs. 99 lakhs; other works—Rs. 91 lakhs. This is the revenue from minor irrigation works. If my figures are incorrect, they may be corrected by the Government. I am discussing the principle; I do not care so much for figures. (Laughter.) The hon. the Finance Member may afford to laugh in this matter; but I am very very serious; it is not a matter to be laughed at, because so much is neglected. The Government are anxious to get crores and crores of rupees out of the poor men's pocket; they do not want to do anything to improve their condition. In a matter of so much importance the hon. the Finance Member wants to laugh at it. They are here simply to gather money, pocket it and get out of the country—that is all—not to improve the country at all. Last year the Member in charge stated that orders had been issued that a record should be made of all minor irrigation tanks which were alleged to be out of repair and that the minor irrigation overseer should inspect and send a report if the tanks needed repair and estimates for the purpose if necessary. A register was to be kept. When a report was received that no repairs were necessary it would be entered in the register; the Collector would be able to watch the progress of the work and see that it was done systematically. I do not know how much of that work has been done. It is a very nice thing to have a register, to have the numbers of tanks which required repairs, to have estimates ready and to take the works up when funds are available. If funds are not available from the ordinary revenues, my submission is that the works should be taken up on hand with borrowed funds provided there is a sinking fund. If works give good interest, they will have to be executed with borrowed funds. I appeal to the Member in charge to look into the matter. A Government Order was published and the scheme was ready. Valuable suggestions had been made; it was promised that the work would be taken up and completed; the Government have suddenly dropped the whole scheme. They want to go on as merrily as they can because they do not feel the pinch and they do not very much care to raise the status of the people. When there are

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Mr. K. V. R. Swami]

famines they do not go into the question why there were famines ; whether the minor irrigation works were properly attended to, and how many tanks required repairs. I appeal to hon. Members through you, Mr. President, to support the motion proposed by the hon. Member."

Swami A. S. SAHAJANANDAM:— "கனம் தலைவர் அவர்களே ! உயிர்களுக்கு ஜீவாதாரமானது நீர்ப்பாசனமாகும். அதில் ஆதிதிராவிடர்கட்குப் பல குறைகளிருக்கின்றன. நீர்ப்பாசனத்திலும் தண்டாமையும் ஜாதிக்கொடுமைகளும் நிறைந்திருக்கின்றன. தென்னார்க்காடு ஜில்லா சிதம்பரம் தாலுக்கா வடகிருஷ்ணபுரம் கிராமத்திலுள்ள ஆதிதிராவிடர்களில் பலர் நபர் ஒன்றுக்கு ஒன்றிரண்டு ஏக்கர் வீதம் சுமார் 60, 70 ஏக்கர் நிலங்கள் வைத்துக்கொண்டு கௌரவமாக காலங்கழித்து வந்தார்கள். அவர்கள் பக்கத்தாரர்களுக்கு மேளம் வாசிக்கவில்லையென்றும் காரணத்தால் ஆதிதிராவிடர்களின் நிலங்களுக்குத் தண்ணீர்ப் பாய்ந்துவரும் நத்தமேட்டு வாய்க்காலிலிருந்து தண்ணீர்ப் பாய்ச்சக் கூடாதெனத் தடுத்து விட்டார்கள். ஆனால் அவர்களுக்கு மாமூலாகப் பாய்ந்துவந்ததும் ஏற்கனவே பழய பிளானில் கண்டிருப்பதும் பட்டாவில் குறித்திருப்பதும் ரிக்கார்டு சம்மந்தமுள்ளதும் மேற்படி நத்தமேட்டு வாய்க்காலேயாகும். இந்த வாய்க்காலில் தண்ணீர் ஷெ நிலங்களுக்குப் பாய்ந்து வருவதால் நத்தமேட்டு கிராமங்கட்கும் மற்ற கிராமங்கட்கும் தண்ணீர் குறைவது மில்லை. தண்ணீர் ஏராளமாயிருக்கிறது. நீர்ப்பாசன அதிகாரிகளின் அசிரத்தையாலும் உள்ளூர் அதிகாரிகளின் கவனக் குறைவாலும் ஆதிதிராவிடர்களுக்கு ஷெ குறைகளேற்பட்டுள்ளன. இது விஷயமாக ராவ் சாஹேப் ஆர். சினிவாசம் பிள்ளையவர்களும், ராவ்பகதூர் எம். லி. ராஜா, எம்.எல். எ., அவர்களும் நேரில் பார்வையிட்டார்கள். சென்ற வருஷம் வரவு செலவு திட்டத்தில் இது விஷயமாக இச்சபையில் அதிகமாக கூச்சலிட்டேன். இன்னும் இது விஷயமாகக் கவனிக்கப்படவில்லை. வட கிருஷ்ணபுரம் ஆதிதிராவிடர்களுக்கு அபராதத் தீர்வை மேன்மேலும் அதிகரித்துக்கொண்டே வருகிறது. இது விஷயம் உடனே கவனிக்கவேண்டும்.

"பண்ணப்பட்டு கிராமம்—தென்னார்க்காடு ஜில்லா சிதம்பரம் தாலுக்கா பண்ணப்பட்டு கிராமம் கருடன் வாய்க்காலிலிருந்து சர்வே 71-ல் ஒரு கொண்டம் பிரிந்து 77, 78, 79 வழியாக சர்வே 41, 42, 43, 44, 52, 53, 54, 55, 56, 57, 112, 113 முதலிய ரம்பரிலுள்ள நிலங்களுக்குத் தண்ணீர்ப் பாய்ந்துவந்தது. பழமையானதும் மாமூலானதும் பிளானில் கண்டிருப்பதும் இதுவே. ஆனால், சமீப காலத்தில் ஒரு பிராமணர் சில புன்செய் நிலங்களை வாங்கி நன்செய்யாக்கினார். அவரது சொந்தக் காரர் ஒருவர் தர்சில்தாரராக வந்திருந்தார். ஷெ பிராமணமிராசதாரரின் வேண்டுகோளின்படி புன்செய்யை நன்செய்யாக்கிய நிலங்களுக்குத் தண்ணீர்ப்பாய மேற்படி 71-ல் கண்ட கொண்டத்தின் வழியாக மாமூலாகப் பாய்ந்து வந்ததைத்தடுத்து வேறு புதுவழி 15 ரம்பரிலுள்ள கொண்டத்தின் மூலம் புதுவாய்க்கால் காட்டினார். இதனால் ஆதிதிராவிடர்களுக்கும் மற்றும் மிராசதாரர்களுக்கும் மிக்க ரஷ்ட முண்டாயிருக்கிறது. தண்ணீர் எல்லோருக்கும் பாயும்படியான உபாயமும் செய்வலாம். அதிகாரிகளின் கவனக்குறைவாலேமேற்பட்டுள்ள இக்குறைகளை நிவர்த்திக்க அரசாங்கத்தார் உடனே முயற்சி யெடுக்கவேண்டும்."

[16th March 1928]

• **Mr. C. R. PARTHASARATHI AYYANGAR :—**“Mr. President, Sir, this is a matter within our knowledge. Every ryot who come to us asks the question ‘I am paying kist; I do not get water for my lands. Can you find any provision of law by which you can help me? I won’t pay the tax because I do not get the supply of water.’ The answer given by the Government is ‘first pay the tax; whether you get water or not is not our concern.’ What they say is ‘I want your money; I do not care very much whether you get your lands irrigated by the channel or by the wells you may dig.’ I am personally acquainted with two cases which will show the utter indifference with which the minor irrigation works are treated in my district. Besides several instances I have known I shall mention one instance in a village 5 miles from Chittoor. There is a channel there which takes water from the sluice of another tank. The tank is supposed to contain three months’ water. The ryots put in a petition to the Collector. He is going to become a Member of the Board of Revenue. They put in a petition asking the Collector to inspect the lands and see what the difficulties were under which they were suffering. I had also the privilege of being written to attend. The difficulty under which the ryots were labouring is that they get surplus water of a source two miles from the village. Their complaint was that whenever there was any freshes the channel was blocked and the supply of water was blocked.

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“Again and again the question was put to the Collector. We have a channel route for taking water from the sluice. We asked the Collector whether he would take steps to build an overbridge over the channel so that the water which flows during sudden rains may flow over the bridge and not destroy the channel underneath. But the universal phraseology of the Government is that they have not got funds. After a good deal of conversation, I convinced that the silt that had gathered in the channel could not be removed at once and that the water which flows down the channel during sudden freshes cannot be diverted to the tank and is lost. But then the Collector said that the construction of the overbridge would cost about Rs. 5,000 whereas he had been allotted Rs. 15,000 for nine divisions. He said ‘You are a Member of the Legislative Council and you can ask the Legislative Council to vote money for the same.’ After considering the matter the ryots said that they were willing to pay for the expenses that may be incurred by the Government according to this estimate, and also one-third of the cost of the work. But the Collector said that one-third would not do, but they should pay a half. Then the ryots said, ‘If you cannot construct a culvert, convert these into punja lands.’ So between Sylla and Charybdis these ryots are forced to pay half the amount of the estimate which may come to Rs. 2,500, and their lands are classed as wet lands though they have got only three months’ supply of water in their tank. Therefore you will see that the difficulties under which the ryots labour are very great. But yet, though the matter has been pressed again and again for the past ten years, the Government say they have no money.’ I will give you another instance. Every one of you know something about Tirupati. But how many of you know that there is a perennial stream running for 20 miles over the hills connecting the hills with Cuddapah. Now the ryots of Peddamallela, in Vayalpad taluk, petitioned to the Collector and asked him that instead of allowing the water to go to waste he could have a channel dug for about  $1\frac{1}{2}$  or 2 miles so that the water might

16th March 1928] [Mr. C. R. Parthasarathi Ayyangar]

be taken into a system of tanks which could be made to irrigate about 18 villages. But what did the Collector do? He sent overseers to estimate the cost for the scheme. Now the overseers, if they are in good terms with the villagers, will say that the scheme will cost only about two to three thousand rupees; if not, they will say that the whole thing will cost about 20,000 rupees. The Government act on the advice of these overseers and will consider schemes only if they are profitable to them in the end. They do not care whether the lands to be irrigated are wet or ayakat lands, or whether the men are able to raise crops out of the water supplied. Still less will they supplement the sources of irrigation. A remedy was suggested by the ryots. They said 'Give the work on a contract to the village panchayats. We will supply everything. We will minimise expenditure and we will be able to do the work.' But the Government said 'No.' 'We do not know whether you will do it properly.' Sir, it is always the discretion of the intermediary that counts, the discretion of the monegar and the karnam and the overseer. Even if the Government sanctions a work, the overseers, the tingods, have got to be satisfied. Such are the difficulties. I would request Government, when a Revenue Inspector, a Tahsildar, a Deputy Collector or any other officer of the Revenue Department asks for promotion, to ask them what they have done to improve the condition of the ryots, how many channels have been dug, how many irrigation sources have been added and put them other such questions. I would ask the Government to put their officers such questions at the time of the jamabandi and make this a condition for their promotion.

"Therefore, Sir, it is absolutely necessary that irrigation sources ought to be augmented and expenditure incurred on them. Otherwise it will not be just and equitable on the part of the Government."

\* The hon. Sir NORMAN MARJORIBANKS:—"Mr. President, Sir, I have the same perennial difficulty in replying to this motion as hon. Members who criticised this grant will not remember that it has no reference to large works, but refers to tanks which irrigate less than two hundred acres and which are unconnected with any irrigation or ancient system. These small tanks as a rule do not give rise to the difficulties which were so eloquently dealt with by the previous speakers. They are however of great importance to the many districts especially the Central districts, North Arcot and Chingleput. We have been steadily increasing expenditure on this class of works from somewhat less than 8 lakhs in 1921-22 to practically 16 lakhs in the present budget. I explained on the previous occasion that it would be impracticable to increase expenditure on these works to an unlimited extent. We have got first to ascertain the tanks that need repair, examine them, find out what is wrong and prepare an estimate of the expenditure necessary to set them right. We have then to get a grant for these estimates. I assure the hon. Member for North Arcot that we have not yet refused any application which was supported by the recommendation of any Collector. The difficulty is that hon. Members discuss the details of particular cases and there is nobody who is aware of the facts to meet their complaints. I have a recollection that I heard before the case of which the hon. Member for Chittoor referred to. The difficulty in that case was, I think, not funds, but that we could not adopt the remedy which the hon. Member suggested, the building of an aqueduct across the main stream. I have not however been able to refer to papers in the case. I would suggest that in

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cases like that and those which Mr. Arpudaswami Udayar brought to notice, if they would bring them to notice during the year something might be done to see that the item is included in the budget. There is little use in waiting till the time of the budget when it is too late to include any fresh item. There is not the slightest disposition on the part of the Government to stint money on items which Collectors recommend. Government have, as the budget will show, doubled the amount in the last few years."

\* The hon. Mr. T. E. MOIR:—"Sir, I have got only a few remarks to make. I am now in a position to give the information to the hon. Member for Godavari as regards the figures relating to interest. They cannot apply to minor irrigation systems or works because we do not keep any capital account for such irrigation works. Accounts of interest on capital expenditure can only be kept in the case of works for which capital accounts are kept. As hon. Members know, these are confined to large irrigation systems. I am unable to tell the hon. Member therefore what the return on minor works is. I am perfectly sure that in many cases the return is practically nothing at all if we take into account the capital expenditure and the amount that has been spent on repairs. In fact, the smaller the work, the less the return. That is almost invariably the rule. As a matter of personal explanation, may I say Sir, that the hon. Member referred to me as finding amusement in the question on minor irrigation. Having some experience of minor irrigation, it is not a subject which to me could be a subject of ridicule. I was merely admiring the dexterity with which the hon. Member extricated himself from the misconception in which he had been led by those figures to which he had just referred."

The motion was put and declared lost.

A poll was demanded and the House divided as follows:—

*Ayes.*

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|--|---|
| 1. Mr. R. Nagan Gowda.                         | 23. Mr. K. V. R. Swami.                         |
| 2. " T. M. Narayanaswami Pillai.               | 24. Dr. B. S. Mallaya.                          |
| 3. " C. R. Parthasarathi Ayyangar.             | 25. Mr. M. Narayana Rao.                        |
| 4. " Ramanath Goenka.                          | 26. " A. Parasurama Rao Pantulu.                |
| 5. " Chavadi K. Subrahmanya Pillai.            | 27. " C. Ramasomayajulu.                        |
| 6. " V. Ramjee Rao.                            | 28. Basheer Ahmad Sayeed Sahib Bahadur.         |
| 7. " D. Thomas.                                | 29. Mr. P. Bhaktavatsulu Nayudu.                |
| 8. " Vanavudaiya Goundar.                      | 30. Sriman Biswanath Das Mahasayo.              |
| 9. " S. Arpadaswami Udayar.                    | 31. Mr. A. Kaleswara Rao.                       |
| 10. The Zamindar of Gollapalli.                | 32. " R. Srinivasa Ayyangar.                    |
| 11. Mr. A. Ranganatha Mudaliyar.               | 33. " K. Koti Reddi.                            |
| 12. Diwan Bahadur R. N. Arogyaswami Mudaliyar. | 34. " L. K. Tulasiram.                          |
| 13. Mr. Sami Venkatachalam Chetti.             | 35. " K. R. Karant.                             |
| 14. " S. Satyamurti.                           | 36. " K. Madhavan Nayar.                        |
| 15. " C. V. Venkataramana Ayyangar.            | 37. " P. Siva Rao.                              |
| 16. " T. Adinarayana Chettiyar.                | 38. Syed Ibrahim Sahib Bahadur.                 |
| 17. " P. Anjaneyulu.                           | 39. Mr. M. A. Manikkavelu Nayakar.              |
| 18. " J. A. Saldanha.                          | 40. Diwan Bahadur P. C. Ethirajulu Nayudu.      |
| 19. " C. S. Govindaraja Mudaliyar.             | 41. Mr. T. K. Chidambaranatha Mudaliyar.        |
| 20. " G. Harisaravottama Rao.                  | 42. Rao Bahadur S. Ellappa Chettiyar.           |
| 21. " O. N. Muthuranga Mudaliyar.              | 43. Diwan Bahadur S. Kumaraswami Reddi-<br>yar. |
| 22. Abdul Hamid Khan Sahib Bahadur.            |   |

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*Noes.*

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|---|---|
| 1. The hon. Sir Norman Marjoribanks.            | 12. Subadar-Major S. A. Nanjappa Bahadur. |
| 2. „ Khan Bahadur Mubammad Usman Sahib Bahadur. | 13. Mr. N. Siva Raj.                      |
| 3. „ Mr. T. E. Moir.                            | 14. „ M. V. Gangadhara Siva.              |
| 4. „ Mr. A. Y. G. Campbell.                     | 15. Rao Sahib L. C. Guruswami.            |
| 5. Rao Bahadur C. V. Anantakrishna Ayyar.       | 16. Mr. V. I. Munuswami Pillai.           |
| 6. Mr. H. A. Watson.                            | 17. „ W. P. A. Soundarapandya Nadar.      |
| 7. „ G. T. Boag.                                | 18. „ K. Krishnan.                        |
| 8. „ A. McG. C. Lampoe.                         | 19. Rajkumar S. N. Dorai Raja.            |
| 9. „ S. H. Slater.                              | 20. Rao Sahib R. Srinivasan.              |
| 10. „ C. B. Cotterell.                          | 21. Syed Tajudin Sahib Bahadur.           |
| 11. „ R. Foulkes.                               | 22. The Raja of Ramnad.                   |

*Neutral.*

- |                                  |   |
|----------------------------------|---|
| 1. The hon. Dr. P. Subbarayan.   | 8. Mr. D. Narayana Raju.                        |
| 2. „ Mr. S. Muthiah Mudaliyar.   | 9. The Raja of Panagal.                         |
| 3. „ Mr. M. R. Seturatnam Ayyar. | 10. Diwan Bahadur M. Krishnan Nayar.            |
| 4. Mr. P. J. Gnanavaram Pillai.  | 11. Khadir Mohidin Sahib Bahadur.               |
| 5. „ J. Bheemayya.               | 12. T. M. Moidoo Sahib Bahadur.                 |
| 6. „ S. Venkayya.                | 13. Diwan Bahadur A. M. M. Murugappa Chettiyar. |
| 7. Swami A. S. Sahajanandam.     |   |

*Ayes 43. Noes 22. Neutral 13.*

The motion was carried.

While the Secretary was recording the names of members who were in favour of the motion in block III, Mr. Narayana Raju resumed his seat before his name was called and therefore his name was not called.

Mr. C. S. GOVINDARAJA MUDALIYAR :—“ Mr. Narayana Raju, Sir. ”

The hon. the PRESIDENT :—“ He did not rise. ”

Mr. C. S. GOVINDARAJA MUDALIYAR :—“ He rose. He was marked but not called. ”

Mr. SAMI VENKATACHALAM CHETTI :—“ There is confusion between Narayana Raju and Narayana Rao. ”

The hon. the PRESIDENT :—“ I do not think the hon. Member stood long enough to enable the Secretary to call his name. ”

When the names of those who remained neutral in the same block were called and when Mr. Narayana Raju's name was mentioned there were cries of “ Neutral by compulsion. ”

Demand VI—Irrigation—Civil Officers—for Rs 15·98 lakhs minus Rs. 200 was then put and adopted and the grant made.

\* The hon. the PRESIDENT :—“ The House will now adjourn and will re-assemble to-morrow at 11 o'clock. ”

R. V. KRISHNA AYYAR,  
*Secretary to the Legislative Council.*